

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**Department of Agriculture  
Market and Warren Streets  
1<sup>st</sup> Floor Auditorium  
Trenton, NJ 08625**

**REGULAR MEETING**

**September 23, 2010**

Chairman Fisher called the meeting to order at 9:15 a.m. In compliance with the "Open Public Meetings Notice", the following statement was read:

"Pursuant to N.J.S.A. 10:4-6 et seq., adequate public notice of this meeting has been provided by giving written notice of the time, date, location and, to the extent known, the agenda. At least 48 hours in advance, this notice has been posted on the public announcement board, third floor, Health/Agriculture building, John Fitch Plaza, Trenton, NJ, mailed and/or faxed to the Newark Star Ledger, the Times of Trenton, the Camden Courier Post, and filed with the Office of the Secretary of State."

Roll call indicated the following:

**Members Present**

Douglas H. Fisher, Chairperson  
Richard Boornazian (rep. DEP Commissioner Martin)  
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff) (Arrived at 9:17 a.m.)  
Brian Schilling (rep. Executive Dean Goodman) (Arrived at 10:03 a.m.)  
Torrey Reade  
Stephen P. Dey  
Jane Brodhecker  
James Waltman

**Members Absent**

Donna Rendeiro (rep. DCA Commissioner Grifa)  
Denis C. Germano, Esq.  
Alan Danser

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Susan E. Craft, Executive Director  
Jason Stypinski, Deputy Attorney General

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**Others present as recorded on the attendance sheet:** Robert Baumley, Heidi Winzinger, Charles Roohr, Paul Burns, Ed Ireland, Timothy Brill, Cassandra McCloud, Daniel Knox, Bryan Lofberg, Dave Kimmel, Patricia Riccitello and Sandy Giambrone, SADC staff, Daniel Pace, Mercer County Agriculture Development Board, Thomas Hower, Governor's Authorities Unit, Harriet Honigfeld and Amanda Brockwell, Monmouth County Agriculture Development Board, Barbara Ernst, Cape May County Agriculture Development Board, Danielle Dobisch, Burlington County Agriculture Development Board, Katherine Coyle, Morris County Agriculture Development Board, Robert Resker, Warren County Agriculture Development Board, James A. Britt, Bernard T. Britt and Anne M. Britt, Landowners, Mansfield Township, Warren County, Glorianne Robbi, East Amwell Township, Hunterdon county, Nicki Goger, New Jersey Farm Bureau, William Millette, Hunterdon County Agriculture Development Board, Donna Traylor, Sussex County Agriculture Development Board, Ryan Allen Ocean County Agriculture Development Board, Lisa MacCollum, New Jersey Conservation Foundation, Christine Landuyt, Celtic Charms Farm, Howell Township, Monmouth County.

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## **Minutes**

- A. SADC Regular Meeting of July 22, 2010 (Open Session and Closed Session)

It was moved by Ms. Reade and seconded by Ms. Brodhecker to approve the open session minutes and the closed session minutes of the SADC regular meeting of July 22, 2010. The motion was approved (Mr. Waltman abstained.)

## **REPORT OF THE CHAIRPERSON**

Chairman Fisher stated that as he mentioned at the last meeting everyone is getting interested in solar and everyone wants to do a project now. He stated that yesterday he was informed of a net metering project that the landowner wants to install on a preserved farm but could not move forward on that project because they were waiting for SADC rules to be adopted. He stated that we will be hearing more about these types of concerns. He stated that SADC staff is working feverishly with the DEP, the Board of Public Utilities and the Division of Taxation in drafting rules.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Ms. Craft discussed the following with the Committee:

- Warren County Farmland Preservation Event

Ms. Craft congratulated Warren County on its upcoming farmland preservation event, celebrating 20,000 acres being preserved under the farmland preservation program. The event will take place at the Demeter farm in White Township.

- Dual Appraisal Provision in the Highlands

Ms. Craft stated that the bill passed the legislature and was signed by the Governor extending the dual appraisal provision for properties in the Highlands Region only. That closes the issue of whether the dual appraisal provision was going to continue on all lands. It extends the dual appraisal treatment for Highlands properties through June 30, 2014, or five years from the 2009 deadline. Staff will be sending a memo to all the counties, nonprofits and towns so we can begin to clarify the appraisal process. At this time, the SADC would advise not to conduct dual appraisals any longer outside the Highlands because there is no legislative authority.

- Right to Farm Case

Ms. Craft stated that the SADC has just concluded its third day of public hearings on the Hopewell Valley Vineyards, located in Hopewell Township, Mercer County. The Township and residents, both for and against operations at the vineyard were present. The winery industry is an evolving industry in New Jersey and this will be a very important case to try to identify what aspects of winery operations are protected under the Right to Farm Act. The submission deadline is about a week or two for any further documents from those that attended the hearing. SADC staff will digest all materials and then draft a hearing report for the Committee's consideration. The target date is the December SADC meeting.

- Special Meeting of the SADC

Ms. Craft stated that the Committee held a special meeting last Friday to conclude its work on the Washington Township Municipal Utilities Authority (WTMUA) well case. It has been an issue before the SADC for a while now. The SADC previously found that the proposed taking on the Smith and Searles farm would cause an unreasonably adverse effect and then at the special meeting the

Committee concluded its work on that by approving a report that sets forth the SADC's recommendations. The recommendations essentially were 1) the SADC was not convinced that there were no alternative sources to be used to supply this water, particularly because it is in the Highlands Preservation Area. Recommendation # 1 was to exhaust all other options before drilling wells on these farms; and 2) Coordinate with the DEP to incorporate the ADA review process in to the DEP permit procedures. Ms. Craft reiterated what happened in this case, the WTMUA expended money to drill a well and the ADA process had not even been initiated. The WTMUA was supposed to provide proper notice before spending money on drilling the wells. SADC staff will work with the DEP to see what can be accomplished to ensure that the ADA process is more meaningful. The case is before the Judge on October 1st or 2<sup>nd</sup>. The application is pending preservation so this condemnation is delaying the process.

- Comments on the Deed of Easement Guidance Documents

Ms. Craft stated that the SADC has received comments on its deed of easement guidance documents. The deadline for comments was extended to August 30<sup>th</sup>. The Committee has been provided today with a copy of the comments received. Staff will summarize the comments and as soon as possible, reconvene the Deed of Easement subcommittee. Staff will keep the Committee updated.

### **COMMUNICATIONS**

Ms. Craft reminded the Committee to take home the various articles provided in the meeting binders regarding the WTMUA and solar issues. She stated that Rowen University recently released a study on land use changes in New Jersey and there are some articles provided on that subject. She will summarize the recommendations to report back to the SADC at a later date. She would encourage everyone to read the articles on the land use study.

### **PUBLIC COMMENT**

Robert Resker, Warren County Agriculture Development Board Administrator stated that regarding the dual appraisal issue, it was stated earlier that it is usable in the Highlands. Would that be usable in just the Preservation Area or both the Preservation Area and the Planning Area? Ms. Craft responded it states it would be usable in the Highlands region, so it would be both the Planning and Preservation Areas.

Ms. Reade stated that she received a letter from Nick Cassetta of the Cape-Atlantic Soil Conservation District who also administers the Atlantic CADB in response to the SADC's budget that was approved at the last meeting. He raised this issue previously



and she wasn't sure if there was anything that could be done. The issue is that there is no administrative funding for the farmland preservation obligations of the soil conservation districts. With the decrease in the construction activity in the state there is not as much Section 251 funding coming into the districts so they do not have the available funding to conduct stewardship activities that they are required to conduct on behalf of the SADC. He is making another plea for some kind of acknowledgement that there ought to be some type of administrative funding for the districts. She stated that she would forward Mr. Cassetta's letter to SADC staff for review.

Ms. Craft stated that the SADC would need statutory authority to spend GSPT and bond monies to provide administrative costs for staff at the county level. At this time, there is no authority for the SADC to use its funds for those purposes. She stated that staff will review the letter and provide a response.

### **NEW BUSINESS**

#### **A. Proposed New Rules: Draft**

##### **N.J.A.C. 2:76-2A.12 Agricultural Management Practice for the Construction, Installation and Operation of Solar Energy Generation Facilities, Structures and Equipment on Farms**

Ms. Craft referred the Committee to the draft agricultural management practice (AMP) for the construction, installation and operation of solar energy generation facilities, structures and equipment on commercial farms. She stated that rules must be developed to provide right to farm protection involving solar, wind and biomass facilities. The SADC also has to adopt regulations dealing with construction of these facilities on preserved farms. Today's discussion will focus on right to farm standards for the construction of solar facilities only.

There has been an interagency Task Group meeting, which is comprised of the NJ DEP, the SADC, the Department of Agriculture, The Division of Taxation and the Board of Public Utilities (BPU). It has been a very helpful and productive process to get everyone's perspective at one time to try and construct a rule. SADC staff has met with solar providers, wind developers, municipal officials, and representatives of the League of Municipalities to obtain input prior to a rule being introduced to the Committee. Staff would like to review the draft and receive comments from the Committee. Staff will make this draft available to the public on an informal basis and would welcome comments from the public. The goal being to come back to the Committee at its next meeting with a rule that the SADC could approve for publication in the NJ Register for public comment. She stated that if the public would like to comment in the interim, staff would need those comments within the next two weeks so that staff can prepare a final draft to present to the Committee in November.

Ms. Craft stated that this draft AMP comes from a law that was passed earlier this year, PL 2009 Chapter 213. That law defined the extent of solar, wind and biomass energy generation that is considered agricultural in scale. She stated that projects that exceed those limits would not be subject to the SADC and the Department of Agriculture's rules. The law identifies energy generation limits for preserved farms and created parameters for farmland assessment and how much solar/wind can be installed on a farm to retain farmland assessment and to extend right to farm protection.

Ms. Craft reviewed the main provisions of the statute with the Committee. She stated that for preserved farms they cannot interfere with the use of the land for agricultural and horticultural production, as determined by the Committee. The language "as determined by the Committee" is the essence of why the Committee needs to adopt regulations.

On preserved farms the capacity is either 110 percent of the previous calendar year's demand or up to one (1) percent of the farm, whichever is greater. The one percent includes exceptions areas. Ms. Craft stated that the SADC will have to clarify how to address severable and nonseverable exception areas

Regarding farmland assessment, no more than ten acres can be used and there is a 1-5 ratio so for every acre of land being used for solar or wind facilities you would need five acres in agricultural or horticultural production. There is an absolute upper limit of two megawatts of power being generated. Property owners are to use the land under the solar panels to the extent practicable for farming or pasture. The owner/operator has to have a conservation plan that is approved by the district that addresses certain criteria. Ms. Reade stated that she has never seen a conservation plan that addresses aesthetic impacts. Ms. Craft stated that Ms. Purcell is present today to address the Committee. Ms. Purcell has been working with staff on her end to try and define for us what the conservation plan would actually have to include and then it will be clarified in the new rule. These are the basic farmland assessment components and then the third item in the statute gave right to farm protection to those facilities that comply with the farmland assessment provision.

Ms. Craft stated that projects can be classified as small scale projects that provide power to the farm and the house and large scale projects that involve providers that are interested in providing power to the grid. The proposed regulations are separated into small and large scale projects. Staff is proposing to identify small projects as facilities up to an acre in size. Large scale projects would be over an acre in size and up to the maximum of ten acres and not to exceed the maximum of two megawatts of power.

Ms. Craft referred the Committee to a power point presentation showing small scale and large scale solar projects for comparison purposes. The types of boxes and facilities as shown in the examples were the highest voltages and are the most dangerous so the draft

rules are recommending that any of these kinds of transformers, inverters are contained in a locked shed, cabinet or building or enclosed within a steel fence, which seems to be the practice on all systems. Ms. Reade stated that these types of facilities come with many types of shut-off mechanisms. They are set up so that you don't electrocute anyone. All of the net metering systems are set up so that you are not feeding the grid, except when the grid is feeding electricity into the system. Ms. Craft stated that these are not all going to be net-metering systems. Dr. Dey stated that the solar panels won't work if you do not have a small amount of electricity coming into the system. That is the only way the inverters will work. Chairman Fisher asked if this would be the pervue of the electrical codes. Ms. Craft stated that for the most part the Department of Community Affairs (DCA) representatives were suggesting that the UCC code is all you need to require in terms of compliance but that is not what we heard entirely from the solar developers. Some were saying it is not specific with respect to areas like fencing so it is one of those questions whether the Committee wants to impose a standard. One or two providers advised staff that they would advocate putting an eight foot chain link fence around the entire facility. Mr. Siegel stated that if we are going to make rules about facilities they should be oriented towards the preservation of agriculture and they must be for an agricultural reason. Mr. Siegel stated that PSEG or the Board of Public Utilities should dictate if a facility requires fencing. Ms. Reade felt that on the small systems a fence is not necessary and it adds a financial burden to the farmer.

Chairman Fisher asked what the need was for the SADC to require a fence. Mr. Siegel stated there should be an agricultural reason, not a technological reason. Ms. Craft stated that the right to farm standards have the power of overriding municipal zoning ordinances. Municipal zoning ordinances are generally intended to protect health and safety of the public in many different ways. That is the balance we are trying to achieve. For every right to farm case, the Committee is obligated to balance the public interest and safety and agricultural aspects. This statute identifies that a ten-acre energy facility is agricultural in nature and the SADC's standards are trying to deal with appropriate setbacks, screens and noise standards. This is what zoning ordinances do in trying to protect the public.

Ms. Reade stated that there is an electrical code and she can see for a system like the one shown today, which probably doesn't have people on it often and which is generating massive amounts of electricity where you would want to have some sort of security around the inverters. She felt that you would add substantially and unnecessarily to the cost of a small farm's installation by insisting that they construct a building around their inverters. She felt that it may not be a necessary requirement for small systems. Chairman Fisher felt this was something that the Committee should not have to address.

Mr. Waltman stated that if the SADC is silent on this issue and a municipality tried to require a fence around a solar facility on farms, what would happen? Would it be

deemed a right to farm case and because the SADC doesn't address the issue does the municipality have a right to regulate the need for a fence? Ms. Craft stated that if the matter is regulated by another state or federal law or regulation compliance is mandatory. She stated that would be the first question. If not, and it becomes an issue, and a town adopts an ordinance that requires a fence around a facility and a farmer doesn't comply, since it is not addressed in our AMP, it would become a site specific AMP issue. A farmer could come in and seek relief from some aspect of the ordinance that they have to prove is onerous to comply with. She stated that anything that is not in the AMP would be addressed on a case by case basis.

Ms. Craft further reviewed the draft AMP with the Committee. She stated that under definitions the first one is "conservation plan". This is language that the Division of Agriculture and Natural Resources helped SADC staff develop. Ms. Purcell gave a brief presentation regarding conservation plans. Ms. Reade commented on the section of the draft AMP dealing with erosion (page five of draft AMP, item "r") where it states that the installer shall take appropriate measures to minimize dust and wind erosion, and on the last paragraph on page six, item "I" regarding the conservation plan requiring that all energy generation facilities, structures and equipment, including any subsurface wires, footings or other structures, shall be removed from the property and the restoration of the land shall be done in accordance with the conservation plan to achieve as much agricultural productivity of the land as practicable. She stated that would require inspections and she knows that on some of the megawatt facilities that her district has seen come in, they say they are too small to qualify for the 251 plan so how are the districts supposed to get paid, unless there is an explicit requirement to comply with 251 standards and paying a 251 fee. Ms. Purcell stated that this is a huge issue and that they are addressing this in the 251 program specifically. She stated that there are going to be times where they will need both a 251 plan and a conservation plan as defined in the farmland assessment component of the statute. The 5,000 square feet of disturbance will require a 251 plan. Ms. Reade stated that if the districts are the ones that are going to be responsible for the oversight then they should get paid somehow. She commented that she cannot see how we can rely on them to do that work unless they can be compensated. Ms. Purcell stated that there are issues on the 251 side, one of which is clearly defining what disturbance is. The Department will be very clear and explicit about what disturbance is. She stated that they will be giving districts direct guidance about solar installations specifically as it relates to 251. She stated that they will also be clear about the impervious cover issue, that solar is not considered impervious. She stated that they are doing that with a waiver to expressly say, that although solar panels are not being defined as impervious cover we still have to deal with hydrologic impacts that result from these types of installations. She stated that they are working with the DEP to resolve these issues.

Ms. Craft stated that in the draft AMP everyone is reminded regarding the definition of

“commercial farm” and what it means. Therefore, if you are going to comply with this AMP, the definition of “commercial farm” requires compliance with farmland assessment.

Ms. Craft stated that regarding the definition “energy generation facilities, structures and equipment” that is the language that is used in the statute but is not defined in the statute. Here staff is laying out a proposed definition that basically means everything related to a facility.

Ms. Craft directed the Committee to pay particular attention to the definition of “occupy” on page two. Mr. Baumley stated that the statute requires that on a preserved farm, you cannot occupy more than one percent of the land with the energy generation facilities. However, the reference here for farmland assessment purposes is that it cannot exceed ten acres in size. He stated that there is some correlation as to what is encompassed in the ten acres. Mr. Baumley stated that staff is clarifying that, besides the physical structure of the equipment, there are other areas such as roadways, inverter boxes and land in between the rows that may not be farmed. Ms. Craft stated that the approach we are taking here is that “occupy” means that the agricultural activity has been limited because of the presence of the facility. A question for the Committee will be the issue of buffers. If you have a buffer standard and we are requiring someone to plant nonagricultural trees to create a screen, should that be counting towards the ten acres that are being occupied. This definition is important and staff asks that the Committee provides feed back to staff. She stated that staff’s position is that the strips of land in between the solar panels are incidental and may or may not be farmed.

Ms. Craft discussed the definition of “solar energy” with the Committee. She stated that definition is pretty broad for the purpose of allowing technology to change over time.

Ms. Craft reviewed item “C” on page two regarding the mounting of solar panels. Ms. Reade and Mr. Siegel stated they were confused by the way that section read and suggested that staff revisits that language to clarify its intent to allow concrete footings under certain conditions. Mr. Waltman stated that if there is a way to impact less farmland but it may require putting the facilities on pillars, possibly that is a good idea. He felt that he didn’t know enough to say whether this provision helps farmland or not. Ms. Reade commented that what staff is trying to get at in this provision is that you would only permit more elaborate mountings in the instance of an engineer saying it is necessary. Ms. Craft stated that the language could be simplified. She stated that the concept is that after the Rutgers report that we went through, the worst impact that was identified was soil covered in concrete. So staff was approaching it as that option should only be used if it is absolutely necessary from an engineering standpoint, otherwise we would prefer to see the structure driven into the ground without concrete supports. Chairman Fisher stated that the goal is to not disturb the soil. Mr. Boornazian stated that

you wouldn't need that paragraph if you say drive it and conserve the land as much as possible as a broad statement. He stated that you cannot second guess the engineering companies. Mr. Siegel stated that the idea of this section is that we want the preference to be solar panel systems that involve the least ground destruction as possible. That is a legitimate preference.

Mr. Boornazian stated that he had a different problem with this section. He didn't think that buildings with solar facilities on their rooftops should be included here. He felt that the intent of the law was tillable acres that you are taking away from farming, and that is where the one percent and ten acres are addressed. He felt that if they have separate facilities on their buildings and their barns that is a separate generation issue. Ms. Reade stated that you need to do that because otherwise people will build buildings specifically to put install panels.

Mr. Siegel felt the word structure under item C-1 was too broad. Ms. Craft stated that she understands Mr. Siegel's concerns and that it may be advisable to strike the word "structures" on buildings. She stated that staff was trying to incorporate items like the car port that was shown in the presentation to the Committee or say an animal feed lot and someone constructs a cover with solar panels. She stated that it is not on a building so she was trying to open the door to other structures that could support these facilities that are not buildings. Mr. Siegel suggested the word "facilities". Ms. Craft stated staff would simplify that language and clarify the rationale for the preference in the beginning of that provision.

Mr. Siegel stated that there should be a clear statement in the definition under section "d" regarding farmland assessment eligibility to the applicant that says if your energy project has jeopardized your standing in farmland assessment, that is not an issue that can be addressed in the AMP so that there is a legal warning to resolve farmland assessment issues independently and not use right to farm for that purpose. Ms. Craft stated that additional language can be added to clarify that issue.

Ms. Craft stated that regarding item "h" on page three deals with sound. The towns are very concerned with noise impacts on surrounding properties. She stated that in speaking with some of the installers of these facilities they advised that if you put inverters back far enough sound wouldn't be a problem but you should have a sound standard so that everyone understands the standard. She stated that what is being proposed in the draft AMP is a sound standard of 30 decibels attributable to the solar facilities at any point of the property line. She stated that the amount of 30 decibels was suggested by one of the installers. That would allow them to choose where to place the inverters, how many and what units of size. Mr. Waltman stated that if we are going to make a statement about this we should not be taking the suggestion from the installers. Ms. Craft stated that public comment will be taken on this draft and then staff will come back to the

Committee with a final draft and if it is approved by the Committee it will then be published in the NJ Register and then it will go through the formal rule making process. She stated that if we are trying to expedite adoption of this and the availability of right to farm protection, we want this standard to be good when it goes to the NJ Register.

Mr. Waltman stated that he is uncomfortable with picking a number based on what the industry is telling staff is a good number. Ms. Craft stated to give the Committee a better sense of what 30 decibels would be is that the research that staff has on sound is that a bedroom at night is 35 decibels, background noise in a home is 55 decibels, falling leaves is 15 decibels, whispering is 25 decibels. Mr. Siegel felt that section "h" should be eliminated. He felt that there are local laws to handle sound. Ms. Craft stated that this is for right to farm protection and the farmer may want relief from the local noise standard. She stated that we are being asked to give protection to a technology that we do not understand. We are trying to make this so that if it is done appropriately the public is not going to object. Ms. Craft stated that if we remove this item then the landowner will come in for a site specific AMP to override the municipal sound ordinance. She stated that the SADC is going to get this question and it is going to be one of the first questions that come in if we don't deal with it in this AMP.

Ms. Craft asked if the Committee wanted to remove this item from the draft AMP and defer to whatever the State regulation is on sound. She stated that the State standard for noise, she believed, was around 50-55 decibels. Mr. Schilling stated he would like to know what the State code for noise would be. He felt however that dealing with this head on makes sense. Mr. Boornazian stated that if you agree with the state standards, that would override any local noise ordinance. Mr. Waltman felt that the Committee should stay out of the way on this issue. If a town has an ordinance and the authority to regulate quiet in part of its town and a solar installation exceeds that ordinance he didn't think that the SADC should have authority. Mr. Shilling stated that it has been proven that right to farm is not card blanche for farmers, it protects responsible activities. He felt that putting some parameter on what responsible activities means in this case would be helpful. Ms. Craft stated that the reason for putting this in is because 1) to protect the public but also she thought that the installers and the designers should know about this before the installation occurs because if you installed ten acres of solar panels and the neighbors complain about the humming noise it's too late to reconfigure the facility. The installers should know the standards and avoid the conflict. Mr. Waltman felt that he would not override those ordinances based on sound. He stated that the SADC's charge is to preserve agriculture in the state and to protect agriculture from regulations at municipal levels.

Mr. Siegel asked if municipalities have the authority to pass municipal ordinances setting

acceptable sound levels. Mr. Kimmel stated that in a right to farm case that was one of the issues and he thought it was that the municipality could adopt local ordinances as long as they fell within parameters set by State statute. He stated that he thought there were some agricultural exemptions. Ms. Craft stated that staff will do more research on that issue.

Ms. Reade stated that regarding item "g" dealing with the interconnection, she felt that could be problematic because you can have small farms that are forestalled from having an allocation of grid interconnection by larger projects. She stated that potentially you could have small farm installations and large farm installations conflicting and it could be a right to farm issue. She stated that there is a twenty percent allocation on the utility lines for renewables and there are already communities in the southern part of the state where communities are already turning down the opportunity to interconnect. She stated that you could have someone come in with a two megawatt project that would preclude other farms from coming in and interconnecting. Ms. Craft stated that they are very aware, in the discussions with the Board of Public Utilities and the installers that there is a big race going on among the small projects and the big projects to lock up line capacity, substation capacity, etc. However, that is far beyond the SADC and she doesn't think that it is ever a municipal decision. It is PJM and BPU who would be making the decision about who gets the line first and how capacity is being reserved.

Ms. Craft discussed provision "i" dealing with security with the Committee. She stated that this section deals with securing inverters and other system components by a locked structure, whether it is a building, steel cabinet, etc. It was the consensus of the Committee to remove item "i" from the draft AMP.

Ms. Craft discussed provision "k" Treatment of Land within the Occupied Area with the Committee. She stated that this deals with what are you allowed to do on the soils surrounding the solar panels. She stated that regarding item # 2 regarding the use of gravel within a contained area for the purpose of providing ballast, staff is still trying to get more information on that however, the BPU representative suggested during discussions that gravel is used for ballast.

Dr. Dey commented on section "o" regarding setbacks and buffering. He stated that regarding item # 3 dealing with energy generation facilities, structures and equipment that are installed on the ground and occupy one acre or less of the commercial farm complying with the setbacks as listed in the draft document. He asked if existing projects would be grandfathered in. He stated that he knew of a few units that were on farms for legitimate reasons that are closer than 150 feet to the road. Ms. Craft stated that this is a question that has come up with the SADC's deputy attorney general on a different case. She asked if she could hold that question until after there is a discussion regarding the whole concept of grandfathering and whether it has a role in right to farm or not.



Ms. Craft discussed the remainder of the draft AMP with the Committee. She stated that the document will be circulated to all the counties, towns, nonprofit organizations and the partners, along with everyone that staff has met with and corresponded with in getting to this point for informal comment. We will be asking for comments within a two-week period so that it keeps moving forward. Once the SADC has received comments it will be redrafted and presented to the Committee at its next meeting, hopefully for its approval.

**B. Soil and Water Conservation Cost Share Grant Requests**

Mr. Lofberg referred the Committee to the Status of FY 2009, FY 2010 and FY 2011 Funds for the Soil and Water conservation Project Grants Program. He stated that there is \$186,940.09 available for soil and water conservation cost share grant projects as outlined on the Status Report. He referred the Committee to the Projects for Funding Summary showing two (2) requests for soil and water costs share grants under Priority # 1. He indicated that if the Committee approves today's grant requests the remaining balance will be \$158,255.09.

Mr. Lofberg reviewed the soil and water cost share grant requests with the Committee. He stated that staff recommendation is to grant approval to the two cost share grant requests as presented and discussed. Ms. Reade stated that she would be recusing from the discussion and vote for the Salem County cost share grant request. She stated that she is a supervisor for the Salem Soil Conservation District.

It was moved by Ms. Brodhecker and seconded by Mr. Siegel to approve Resolution FY2011R9(1), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

**PRIORITY # 1**

**MORRIS COUNTY**

1. Centenary College (Resolution FY2011R9(1))  
SADC #14-0059-EP  
Washington Township, Morris County, 58.758 Acres  
Cost Share Grant Amount: \$17,872.50 under Obligation # 1

The motion was unanimously approved. (A copy of Resolution FY2011R9(1) is attached to and is a part of these minutes.)

**Ms. Reade recused herself from any discussion and action pertaining to the soil and**

**water conservation cost share grant request for Salem County to avoid the appearance of a conflict of interest. Ms. Reade is a supervisor for the Salem Soil Conservation District.**

It was moved by Mr. Siegel to approve Resolution FY2011R9(2), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

**PRIORITY # 1**

**SALEM COUNTY**

1. Wayde D. and Margaret A. Allen (Resolution FY2011R9(2))  
SADC #17-0009-EP, Quinton Township, Salem County, 198.270 Acres  
SADC #17-0038-EP, Quinton Township, Salem County, 365.450 Acres  
SADC #17-0039-EP, Quinton Township, Salem County, 102.902 Acres  
Cost Share Grant Amount: \$10,812.50 under Obligation # 1

Discussion: Dr. Dey asked if the landowner will be able to secure a water certification for this project. He stated that he sits on the Water Supply Advisory Board and there is no water available at the present time for these certifications. He stated that he knows of a few instances where the landowners are coming to the Advisory Board for water allocation, where they have already drilled wells and there is no water there.

There was no second to the motion.

Chairman Fisher stated that he would leave the motion on the floor for now and come back to the discussion.

**C. Request for Final Approval – New Rule Municipal Planning Incentive Grant Program**

1. Zeugner Farm, East Amwell Township, Hunterdon County

Ms. Winzinger referred the Committee to Resolution FY2011R9(2) for a request for final approval on the Louis and Jeanne Zuegner farm, located in East Amwell Township, Hunterdon County, comprising 7.55 acres. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Waltman and seconded by Dr. Dey to approve Resolution FY2011R9(2) granting final approval to the following landowners:

1. Louis and Jeanne Zuegner  
Block 17, Lot 34, East  
Amwell Township, Hunterdon County, 77.5 Acres  
State cost share grant at \$7,800.00 per acre for an estimated total of \$604,500.00 (60% of the certified market value and purchase price and estimated total cost.)

The motion was unanimously approved. (A copy of Resolution FY2011R9(2) is attached to and is a part of these minutes.)

**D. Request for Final Approval – New Rule County Planning Incentive Grant Program**

Ms. Winzinger stated that there are twelve (12) requests for final approval before the Committee under the new rule County Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed. Ms. Brodhecker asked that the two Sussex County farms be discussed and voted upon separately as she would be recusing from the discussion/action for those applicants.

It was moved by Mr. Waltman and seconded by Dr. Dey to approve Resolution FY2011R9(3) through Resolution FY2011R9(11) granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolutions.

**HUNTERDON COUNTY**

1. Robert and Linda Runge and Charles and Rose Runge (Runge # 2 Farm) (Resolution FY2011R9(3))  
Block 19, Lot 13, Alexandria Township, Hunterdon County, 77 Acres  
State cost share grant at \$4,900.00 per acre (61.25% of the certified market value) for a total grant need of approximately \$388,619.00, with an additional three (3) percent buffer for possible final surveyed acreage increases, therefore 79.310 acres will be utilized to calculate the grant need.

2. Frank, Rose and Edward Nemeth (Resolution FY2011R9(4))  
Block 14, Lot 15, Alexandria Township, Hunterdon County, 99 Acres  
State cost share grant at \$5,200.00 per acre (60.47% of the certified market value) for a total grant need of approximately \$530,244.00, with an additional three (3) percent buffer for possible final surveyed acreage increases, therefore 101.97 acres will be utilized to calculate the grant need.
3. Alice and William Emmons (Resolution FY2011R9(5))  
Block 38, Lot 8, Delaware Township, Hunterdon County, 42 Acres  
State cost share grant at \$7,200.00 per acre (60% of the certified market value) for a total grant need of approximately \$769,665.00, with an additional three (3) percent buffer for possible final surveyed acreage increases, therefore 43.26 acre will be utilized to calculate the grant need.
4. Gulick III Farm LLC (Resolution FY2011R9(6))  
Block 14, Lot 33.05, West Amwell Township, Hunterdon County, 17 Acres  
State cost share grant at \$4,700.00 per acre (61.84% of the certified market value) for a total grant need of approximately 82,297.00, with a three (3) percent buffer for possible final surveyed acreage increases, therefore 17.51 acres will be utilized to calculate the grant need.
5. Billie and Donna Gardner (Resolution FY2011R9(7))  
Block 6, Lot 48, Holland Township, Hunterdon County, 50 Acres  
State cost share grant at \$4,325.00 per acre (63.14% of the certified market value) for a total grant need of approximately \$222,737.50, with an additional three (3) percent buffer for possible final surveyed acreages, therefore 51.5 acres will be utilized to calculate the grant need.
6. Robert, Charles, Linda and Rose Runge (Runge # 1 Farm) (Resolution FY2011R9(8))  
Block 23, Lot 1, Alexandria Township, Hunterdon County, 35.92 Acres  
State cost share grant at \$5,880.00 per acre (60% of the certified market value) for a total grant need of approximately \$217,545.89, with a three (3) percent buffer for possible final surveyed acreage increases, therefore 36.998 acres will be utilized to calculate the

grant need.

7. Tracey Frick and Stephanie Levik (Resolution FY2011R9(9))  
Block 15, Lot 13, Alexandria Township, Hunterdon County, 42 Acres  
State cost share grant at \$4,600.00 per acre (62.16% of the certified market value) for a total grant need of approximately \$198,996.00, with a three (3) percent buffer for possible final surveyed acreage increases, therefore 43.26 acres will be utilized to calculate the grant need.
8. Phillip Roerig (Resolution RY2011R9(10))  
Block 30, Lot 8, Union Township, Hunterdon County, 61 Acres  
State cost share grant at \$5,940.00 per acre (60% of the certified market value) for a total grant of approximately \$373,210.20, with a three (3) percent buffer for possible final surveyed acreage increases, therefore 62.83 acres will be utilized to calculate the grant need.
9. Craig and Leslie Smith (Resolution FY2011R9(11))  
Block 21, Lots 3, 3.03 and 12.03, Delaware Township, Hunterdon County, 64 Acres  
State cost share grant at \$6,000.00 per acre (60% of the certified value) for a total grant of approximately \$395,520.00, with a three (3) percent buffer for possible final surveyed acreage increases, therefore 65.92 acres will be utilized to calculate the grant need.

The motion was unanimously approved. (A copy of Resolution FY2011R9(3) through Resolution FY2011R9(11) is attached to and is a part of these minutes.)

### **MONMOUTH COUNTY**

It was moved by Ms. Brodhecker and seconded by Dr. Dey to approve Resolution FY2011R9(12) granting final approval to the following landowner, as presented and discussed and subject to any conditions of said resolution:

1. Robert Horzepa (Campusome Farm) (Resolution FY2011R(12)) \*  
Block 16, Lot 13.01, Upper Freehold Township, Monmouth County, 55 Net Acres  
State cost share grant at \$11,820.00 per acre (60% of the certified market value) for a total grant of approximately \$669,603.00, with a three (3) percent buffer for possible final surveyed acreage

increases, therefore 56.65 acres will be utilized to calculate the grant need.

\* Discussion: The property had final subdivision approval for ten lots dated 8/28/07 with the stipulation that the approval was subject to imposing a conservation easement along Doctor's Creek, totaling approximately thirty (3) acres. The CADB staff stated that these conservation easements had not been recorded. On August 17, 2009 it was determined that this application for the sale of a development easement was complete and accurate and satisfied the criteria contained in NJAC 2:76-17.9(a) conditioned upon a New Jersey DEP stream encroachment permit impacting the property access being active at the time of closing. Subsequently, the August 17, 2009 approval was amended to allow the required NJ DEP stream encroachment permit to be active only until the time of SADC certification of easement value, not closing. The Monmouth CADB has been advised that if the conservation easement appears as an exception of title the SADC will not provide a cost share grant on that area.

The motion was unanimously approved. (A copy of Resolution FY2011R9(12) is attached to and is a part of these minutes.)

#### **SUSSEX COUNTY**

**Ms. Brodhecker recused herself from any discussion or action pertaining to the following landowners to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.**

It was moved by Dr. Dey and seconded by Mr. Schilling to approve Resolution FY2011R9(13) and Resolution FY2011R9(14) granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolutions:

1. James Chirip (Resolution FY2011R9(13))  
Block 19, Lot 1908  
Green Township, Sussex County, 18.008 Net Acres  
State cost share grant at \$3,850.00 per acre (65.25% of the certified market value) for a total grant of approximately \$69,330.80. (No buffer for final surveyed acreage is needed.)

2. Hautau # 2 Farm (Resolution FY2011R9(14)) \*  
Block 25, Lot 15.02 and Block 28, Lot 1.04, Frankford Township,  
Sussex County, 36.634 Net Acres  
State cost share grant at \$5,940.00 per acre (60% of the certified  
market value) for a total grant of approximately \$217,605.96. (No  
buffer for final surveyed acreage is needed.)

\* Discussion: There is a pre-existing nonagricultural use, which consists of hardscape materials (stone, gravel, soil, compost, fill, mulch, concrete products and building materials) along with softscape materials (plant materials, sod and straw) used to support the existing landscape company, totaling approximately 1.3 acres. The owners were further advised of the various restrictions associated with describing the nonagricultural use in the Deed of Easement but have declined to elect an exception. There is a one (1) acre nonseverable exception for one (1) future single family residence associated with this property.

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of Resolution FY2011R9(13) and FY2011R9(14) is attached to and is a part of these minutes.)

**E. Request for Final Approval – State Acquisition (Easement)**

1. Bonaccurso Farm, Quinton Township, Salem County

Mr. Knox referred the Committee to Resolution FY2011R9(15) for a request for final approval on the Bonaccurso farm, located in Quinton Township, Salem County. He reviewed the specifics with the Committee. He noted that the property has a three-acre severable exception area containing a slaughter house operation and this exception will be restricted to nonresidential use. The property also has an approximate ¼ acre nonseverable exception area surrounding a cell tower, which cannot be severed from the preserved farm and will be restricted to nonresidential use. Mr. Knox stated that staff recommendation is to grant final approval as presented and discussed and subject to any conditions of the resolution.

It was moved by Mr. Siegel and seconded by Dr. Dey to approve Resolution FY2011R9(15) granting final approval to the Josephine Bonaccurso farm, known as Block 3, Lots 36, 37; Block 10, Lots 10, 13, Quinton Township, Salem County, 112 Net Acres, at a value of \$4,000.00 per acre for approximately \$448,000.00 based on 112 acres and subject to conditions contained in Schedule B of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R9(15) is attached to and is a part of these minutes.)

**F. Requests for Preliminary Approval – Nonprofit Grant Program**

Mr. Knox referred the Committee to three resolutions for preliminary approval for the New Jersey Conservation Foundation/Lovero farm in Hopewell Township, Mercer County, the Senti LLC farm in Hopewell Township, Mercer County and the Hopewell Valley Enterprises farm, in Hopewell Township, Mercer County. He reviewed the specifics of each applicant with the Committee. He indicated that USDA Federal Farm and Ranch Lands Protection Program funding would be utilized on all three farms, which will include impervious coverage restrictions. He stated that staff recommendation is to grant preliminary approval to all three farms as presented and discussed.

It was moved by Mr. Waltman and seconded by Mr. Siegel to approve Resolution FY2011R9(16), Resolution FY2011R9(17) and Resolution FY2011R9(18) granting preliminary approval to the following landowners as presented and discussed and subject to any conditions of said resolutions:

1. New Jersey Conservation Foundation/Lovero (Resolution Y2011R9(16))  
Block 62, Lot 26.041  
Hopewell Township, Mercer County, 73 Acres  
The SADC approves the use of the New Jersey Conservation Foundation's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible for this farm, which will include an impervious coverage limitation of approximately two percent and other restrictions required under the Federal Farm and Ranch Land Protection Program.
2. New Jersey Conservation Foundation/Senti LLC \*  
(Resolution FY2011R(17))  
Block 48, Lot 2  
Hopewell Township, Mercer County, 16.5 Acres  
The SADC approves the use of the New Jersey Conservation Foundation's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible for this farm, which will include a one-acre impervious coverage limitation and other restrictions required under the Federal Farm and Ranch Land Protection Program. **Preliminary approval conditioned upon the preservation of the adjacent Hopewell Valley Enterprises farm identified as Block 48, Lot 3.02.**

\* Discussion: Mr. Knox stated that the landowner has indicated that the preservation of this farm is contingent upon the preservation of an adjacent farm owned by Hopewell Valley Enterprises (Block 48, Lot 3.02).



3. New Jersey Conservation Foundation/Hopewell Valley Enterprises  
(Resolution FY2011R9(18)) \*  
Block 48, Lot 3.02  
Hopewell Township, Mercer County, 56 Acres  
The SADC approves the use of the New Jersey Conservation Foundation's  
Federal Farm and Ranch Land Protection Program funds to the fullest  
extent possible for this farm, which will include an impervious coverage  
limitation of approximately two percent and other restrictions required  
under the Federal Farm and Ranch Land Protection Program.  
**Preliminary approval conditioned upon the preservation of the  
adjacent Senti LLC farm, identified as Block 48, Lot 2.**

\* Discussion: Mr. Knox stated that the landowner has indicated that the preservation of this farm is contingent upon the preservation of an adjacent Senti LLC farm (Block 48, Lot 2). The landowner has requested a 3.5 acre nonseverable exception around an existing winery building, which will be limited to no residential use and also a one acre nonseverable exception for a future single family dwelling. SADC staff had discussions regarding the 3.5 acre exception line and staff wanted to make sure that the exception was large enough, depending upon what the outcome of the right to farm case concludes, as to what he can and cannot do with that facility. The landowner would not get paid on that exception but staff wanted to make sure there was enough flexibility, therefore the exception was enlarged. The one acre exception was originally in a portion of the vineyard but staff requested that it be moved. Mr. Knox stated that this is for preliminary approval for purposes of appraising the farm with a one acre exception for a future residence so that would be impacting the values. Ms. Craft stated that the issue was that staff questioned the location of that house because staff wanted to understand the amount of disruption and construction of roads that may be required to site a house. Staff is recommending preliminary approval but it is subject to location of the one acre exception in a place that the SADC agrees to prior to coming back for final approval.

The motion was unanimously approved. (A copy of Resolution FY2011R9(16), Resolution FY2011R9(17), and Resolution FY2011R9(18) is attached to and is a part of these minutes.)

**G. Farmland Stewardship**

House Replacement Requests

1. Robert and Donna Riggins, Hopewell Township, Cumberland County
2. Bernard and Ann Britt(Eagle Valley Farm), Mansfield Township, Warren County
3. Celtic Charms Farm, Howell Township, Monmouth County

Mr. Roohr referred the Committee to three requests to replace a single family residence. The first is the Robert and Donna Riggins Farm, located in Hopewell Township (Block 71, Lots 18 and 43) and Greenwich Township (Block 4, Lots 22, 22.01 and 4; Block 7, Lots 2, 2.01 and 2.02), Cumberland County. The owners propose to replace the existing residence with a new one for their son Robert, Jr. and his family. Robert Riggins is currently a full-time partner in the farm operation known as Riggins Nursery. The proposed new house will be built approximately 25 feet behind the existing residence in the same yard area of the existing house and will utilize the existing driveway. Robert Riggins proposes to build a two-story house with approximately 3,400 square feet of heated living space to replace the original farm house, which was approximately 2,400 square feet of living space. The design of the new residence will include a basement of approximately 2,000 square feet of unfinished space. The original residence is in a state of disrepair with structural problems, termite and water damage and lack of adequate insulation resulting in frozen plumbing during winter months. Mr. Riggins has received the necessary demolition permits from the township for the existing residence. Staff recommendation is to approve the request as presented and discussed. Mr. Roohr noted that the hoop houses on this property are over-wintering houses for containerized nursery stock. In this case they have the black landscape fabric down and when you pull that fabric up it is the same elevation as the rest of the farm but without grass. It is just top soil with no gravel but with fabric. Container plants are placed on top of the fabric so air and water circulate. The landowners did use shovels to get the humps out of the ground so that the water wouldn't puddle anywhere. Mr. Roohr noted that SADC staff has verified that the original residence is not included on the New Jersey Register of Historic Places.

It was moved by Mr. Schilling and seconded by Ms. Reade to approve Resolution FY2011R9(19) granting a request by Robert and Donna Riggins, owners of Block 71, Lots 18 and 43, Hopewell Township, Cumberland County, and Block 4, Lots 22, 22.01 and 4; Block 7, Lots 2, 2.01 and 2.02, Greenwich Township, Cumberland County, 165.57 total acres, to replace an existing single-family residence with a new single-family residence, consisting of approximately 3,400 square feet of heated living space, not including any basement that may be constructed, as presented and discussed. The existing single-family residence being replaced shall be removed from the Premises within sixty (60) days of receiving the certificate of occupancy for the new residence. This approval is

valid for a period of three years from the date of Resolution FY2011R9(20) and this approval is non-transferable. The motion was unanimously approved. (A copy of Resolution FY2011R9(19) is attached to and is a part of these minutes.)

Mr. Roohr stated that the second request for a house replacement is from Bernard and Ann Britt (Eagle Valley Farms), known as Block 601.01, Lot 23 in Mansfield Township, Warren County, 78.11 acres. The owners propose to replace the existing residence with a new one that would serve as their primary residence. Because the property is in the Highlands Preservation Area, the owners have proposed two potential sites for the new residence in the event that the Highlands Council does not approve of the preferred house location. The first proposed location would be approximately 65 feet south of the original home site and would require a realignment of a portion of the existing downward sloped driveway to manage water coming off the driveway and direct it away from the house site, which had created a problem with the original house. The additional disturbance required to relocate the driveway may exceed the allowable disturbance limits imposed by the Highlands Water Protection and Planning Act. The second location is approximately 400 feet south of the original home site, closer to the driveway entrance on Hilltop Road and uphill of the original home site. Either location would utilize the existing driveway and would not have a negative impact on the agricultural operation. The owners propose to build a single-story house with approximately 2,200 square feet of heated living space to replace the original farmhouse, which was approximately 1,600 square feet of living space. The design of the new home includes a basement of approximately 1,980 square feet of unheated, unfinished space for utilities and storage. The original farmhouse has already been removed and the area graded and seeded. The original house has been vacant for several years and was in a state of significant disrepair. Staff recommendation is to approve the request as presented and discussed. Mr. Roohr noted that SADC staff has verified that the original residence is not included on the New Jersey Register of Historic Places.

It was moved by Mr. Siegel and seconded by Ms. Reade to approve Resolution FY2011R9(20) granting a request by Bernard and Ann Britt (Eagle Valley Farm), owners of Block 601.01, Lot 23, Mansfield Township, Warren County, 78.11 acres, to replace an existing single-family residence with a new single-family residence, consisting of approximately 2,200 square feet of heated living space, not including any basement that may be constructed, or a total of 3,500 square feet of heated living space, including any such basement area. The SADC approves either one of the two locations shown in Schedule "A" of said resolution, to replace the single-family residence that previously existed on the Premises. This approval is valid for a period of three years from the date of Resolution FY2011R9(20) and this approval is non-transferable. The motion was unanimously approved. (A copy of Resolution FY2011R9(21) is attached to and is a part of these minutes.)

Mr. Roohr stated that the third request to replace the existing residence is from William and Christine Landuyt (Celtic Charms Farm), contract purchasers of the Shapiro/Sunset Stables LLC farm, known as Block 135, Lots 9.03, 9.04, 9.05 and 9.06 in Howell Township, Monmouth County, comprising approximately 26.95 acres. The Landuyts have requested to replace the existing single-family residence with a new residence which will serve as their primary residence. The proposed new house will be built approximately 75 feet behind the existing residence in the same yard area of the existing house. The original house is in a state of severe disrepair with structural problems, related mold, water damage, general deterioration and inhabitation by a large number of cats for a period of time. Also the existing house is approximately 25 feet from Fort Plains Road and does not conform to existing setbacks. The contract purchasers propose to build a single-story house with approximately 3,100 square feet of heated living space to replace the original farmhouse, which was approximately 1,800 square feet of living space. The new house will be built with a crawl space, not a basement. Staff recommendation is to approve the request as presented and discussed.

Mr. Roohr noted that SADC staff has verified that the original residence is not included on the New Jersey Register of Historic Places.

It was moved by Dr. Dey and seconded by Ms. Brodhecker to approve Resolution FY2011R9(21) granting a request by William and Christine Landuyt (Celtic Charms Farm), Contract Purchasers of Block 135, Lots 9.03, 9.04, 9.05 and 9.06, Howell Township, Monmouth County, 26.95 acres, to construct a single-family residence, consisting of approximately 3,100 square feet of heated living space, in the location shown in Schedule "A" of said resolution, to replace the existing single-family residence currently existing on the Premises. The existing house shall be removed within sixty (60) days of receiving the certificate of occupancy on the new house. This approval is valid for a period of three years from the date of Resolution FY2011R9(22) and this approval is non-transferable. The motion was unanimously approved. (A copy of Resolution FY2011R9(21) is attached to and is a part of these minutes.)

Monique Purcell addressed the Committee regarding a question that arose earlier in the meeting pertaining to a soil and water conservation cost share grant request for Wayde and Margaret Allen, landowners in Salem County. Dr. Dey had inquired whether the landowners would be able to get a water certification relating to their project request. She stated that she contacted the NRCS and they have informed the landowners that they need to get the allocation from the NJ DEP. She stated that the landowners would then work with their county agent to get the water allocation permit. Unfortunately she was not able to reach the county agent at the moment. She stated that possibly the Committee could give conditional approval based on the allocation or it could table the action. Ms. Craft asked Ms. Purcell if she was aware of any difficulty farmers had in this part of the

state in obtaining water allocation permits. Ms. Purcell stated that there are some critical areas in terms of water supply. She cannot pinpoint Quinton Township right now but there are some critical areas in Southern New Jersey where it would be very difficult to get a water allocation based on legislation. She stated that the NJ DEP does not have an application from the landowners at this point and right now the county agent is in the field so she cannot verify if he has an application to go to the NJ DEP.

Ms. Craft stated that Dr. Dey's point is should the Committee be approving a project and encumbering funding for a well related project where they may never be able to secure a well permit. Ms. Purcell noted that a farmer does not need to have a registration from the NJDEP unless they have the ability to pump 100,000 gallons per day so this could be under that threshold, which would then mean that they would not need an allocation. She stated she would feel more comfortable speaking with the county agent to find out more. She stated that if you have the ability to pump 100,000 gallons per day you must register. If in fact you do pump 100,000 gallons per day you have to secure a certification. Mr. Waltman suggested that the Committee not take action today on this cost share request until we can verify the certification issue. Ms. Craft stated that there is a small amount of money available for soil and water conservation cost share project grants. She stated that possibly we could table this until the next meeting of the Committee to get more information but she would like to recommend that if this application is able to successfully move forward next month, that it be the first project in line for funding because we are the cause of the delay in moving forward and if we can get our questions answered by the next meeting there might be a higher priority project that takes precedent for funding. To be fair to this landowner and the fact that they have gone through the district and the usual channels she doesn't want to see this landowner be unable to secure funding. It was the consensus of the Committee to table action on this agenda item until further information as discussed is secured and that when it comes back to the Committee for review and action that it be the first project in line for funding.

Ms. Craft stated that for the public's information there was a very important appellate division ruling that came out under right to farm dealing with the Raub case in Harmony Township and Pohatcong Township in Warren County. It was a nuisance complaint by neighbors and it went to the Superior Court at the county level. Repeatedly the Judge was notified that this issue did not belong in the jurisdiction of the Court but rather with the CADB. The Judge ignored that advice from many areas and the upshot of it was that there was a final judgment of \$40,000.00 in punitive damages and other damages assessed against the property owner. They appealed that Superior Court decision to the Appellate Division. The Appellate Division dismissed it and said that for nuisance actions,

this case is equivalent in significance to the denHollander case when it came to municipal zoning issues. The Judge stated that the case had to be referred to the CADB. The Judge then vacated the \$40,000.00 in damages. In the meantime, the Raubs also pursued a parallel site specific agricultural management practice (SSAMP) and secured that. She stated that she would have to speak to the Attorney General's Office to see what happens next but it is her understanding that the county's SSAMP is in control in terms of what is protecting the property owner from the nuisance complaints of the neighbor.

Mr. Resker, Warren County CADB Administrator stated that the CADB is wondering if it has to take an action or does it wait for the Raubs to come back to it because the Raubs have appealed the ruling of the CADB. The CADB placed certain restrictions on what Mr. Raub was doing and he has appealed that. He stated he believed it is before the Office of Administrative Law for a hearing. Ms. Craft stated that in the mean time we have this Appellate Division action that has impacts state-wide in saying that the superior courts cannot be hearing these complaints and that they have to be sent to the CADB. It is a very powerful precedent case and very good news for the community. SADC Chief of Legal Affairs Brian Smith commented that due to the damage award being imposed because the Raubs trespassed and also cut down trees, those intentional acts, even the Raubs admitted that they were not entitled to do that under the right to farm. The reason the punitive damage award was reversed was because the Judge, on his own, cut the punitive damage award in half after a jury had imposed the \$40,000.00 figure. The Judge did not follow the statutory requirements for explaining how he came up with the reduction of fifty percent so the Appellate Division remanded that issue to him to go over the statutory standards more clearly to come up with that number. Ms. Craft stated that this is the problem with right to farm. It is a very powerful law but it is very expensive getting to the end product. There is no relief for that currently in terms of reimbursement of legal costs and the like for the landowner.

## **PUBLIC COMMENT**

Nicki Goger from the New Jersey Farm Bureau stated that it is an interesting point that Ms. Craft makes and going back to solar on farms debate and the comment that Dr. Dey made regarding grandfathering. She stated that the example that was shown in the power point presentation of the small scale farm happens to be right on the road, the neighbor across the street and another neighbor that is constantly suing those farmers over right to farm issues. They are part of the reason that law is being proposed because they always have to pay these expenses related to this one nuisance neighbor who seems to want to harass them all the time. She stated that regarding the grandfathering provision she doesn't want the draft AMP to provide ammunition to these neighbors who are already

trying to pursue farmers who have existing solar systems on their farms. She hopes that the Committee will address this issue of grandfathering or some way to treat existing systems that are out there now.

Ms. Goger stated that she wanted to remind the Committee regarding farmers who are going to put up buildings for the specific purpose of putting solar panels on them because they might be exempt in some way, if that were to happen ten acres of buildings would also mean that the farmer would have to pay full taxes for all those buildings. Therefore there would be an economic measure for whether or not that would be feasible. She asked that the Committee keep that in mind when considering structures and buildings and whether or not someone is going to build ten acres of buildings to put up panels.

### **TIME AND PLACE OF NEXT MEETING**

SADC Regular Meeting: Thursday, November 4, 2010, beginning at 9:00 a.m. Location: **Health/Agriculture Building, First Floor Auditorium.**

### **CLOSED SESSION**

At 1:20 p.m. Ms. Reade moved the following resolution to go into Closed Session. The motion was seconded by Mr. Schilling and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

### **Action as a Result of Closed Session**

#### **A. Real Estate Matters – Certification of Values**

#### **Municipal Planning Incentive Grant Program**

It was moved by Dr. Dey and seconded by Mr. Siegel to certify the development easement values on the following farms as presented and discussed in closed session:

1. Tweed Farm North (Estate of Janice Tweed) c/o Lisa Maria Pfrommer  
Block 2701, Lots 17.01 and 18, Franklin Township, Gloucester County,  
60 Acres
2. Tweed Farm South (Estate of Janice Tweed) c/o Lisa Maria Pfrommer

Block 2702, Lot 25, Franklin Township, Gloucester County, 64 Acres

The motion was unanimously approved. (A copy of the Certification of Value Reports is attached to and is a part of the closed session minutes.)

**Direct Easement Purchase Program**

**Note: Mr. Siegel recused himself from any discussion/action pertaining to the Jack Cimprich certification of value to avoid the appearance of a conflict of interest.**

It was moved by Ms. Reade and seconded by Ms. Brodhecker to certify the development easement values on the following farms as presented and discussed in closed session:

1. Jack and Ronnie Cimprich  
Block 11, Lots 32, 36, 38.01, Upper Pittsgrove Township, Salem County, 100 Acres
2. Richard E. Pierson (Pierson Farm # 1 – Whig Lane)  
Block 43, Lot 3; block 31, Lot 1  
Pilesgrove Township, Salem County, 169 Acres
3. Richard E. Pierson (Pierson Farm # 2)  
Block 20, Lots 6 and 8; Block 30, Lots 9 and 11  
Pilesgrove Township, Salem County, 104 Acres

The motion was approved. (Mr. Siegel recused himself from the vote.) (A copy of the Certification of Value Reports is attached to and is a part of the closed session minutes.)

It was moved by Dr. Dey and seconded by Ms. Reade to certify the development easement values on the following farms as presented and discussed in closed session:

1. High Ridge Holding Co. # 1 (Wojcik Farm)  
Block 27, Lot 22, Upper Freehold Township, Monmouth County, 188 Acres
2. High Ridge Holding Co. # 2 (Martin D. Wojcik)  
Block 27, Lot 23, Upper Freehold Township, Monmouth County, 126 Acres

The motion was approved. (Mr. Waltman Opposed and Mr. Siegel abstained.) (A copy of the Certification of Value Reports is attached to and is a part of the closed session minutes.)



**County Planning Incentive Grant Program**

**Note: Ms. Brodhecker recused herself from the discussion/action pertaining to the Lynn and Bonita Turr farm to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.**

It was moved by Dr. Dey and seconded by Mr. Waltman to certify the development easement values on the following farms as presented and discussed in closed session:

1. Cumberland County/Anne Sheppard  
Block 18, Lot 1, Greenwich Township, Cumberland County, 72 Acres
2. Carmine Adamucci – Farm # 2  
Block 78, Lot 24.04, Hopewell Township, Cumberland County, 48 Acres
3. Cumberland County/Thomas Kates et al  
Block 2, Lot 4, Lawrence Township, Cumberland County, 25 Acres
4. William and Helen Stefka (# 1)  
Block 101, Lot 1, East Greenwich Township, Gloucester County, 26 Acres
5. William and Helen Stefka (# 2)  
Block 264, Lot 2, Greenwich Township, Gloucester County, 36 Acres
6. William and Helen Stefka (# 3)  
Block 265, Lot 1, Greenwich Township, Gloucester County, 21 Acres
7. William and Helen Stefka (# 4)  
Block 262, Lot 3, Greenwich Township, Gloucester County, 34 Acres
8. Edward Longley  
Block 27, Lot 2, Elk Township, Gloucester County, 17 Acres
9. Josephine Gallagher  
Block 2701, Lot 19, Franklin Township, Gloucester County, 46 Acres
10. Gary Prowe  
Block 265, Lot 9.02, Mantua Township, Gloucester County, 24 Acres

11. Still run Properties LLC (Stephen Brown)  
Block 2, Lots 3, 4, 5, 9, Mantua Township, Gloucester County, 94 Acres
12. Lynn and Bonita Turr  
Block 135, Lots 8.04 and 8.05, Wantage Township, Sussex County, 52 Acres

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of the Certification of Value Reports is attached to and is a part of the closed session minutes.)

**Nonprofit Fee Simple Program**

It was moved by Dr. Dey and seconded by Mr. Waltman to certify the Fair Market Fee Simple Before and After Values on the following farm as presented and discussed in closed session:

1. New Jersey Conservation Foundation/Dorothy Gilde  
Block 22, Lot 21  
Delaware Township, Hunterdon County, 20 Acres

The motion was unanimously approved. (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

**B. Request for Final Approval – State Acquisition (Easement)**

Mr. Knox stated that the Committee just certified the development easement values on the High Ridge Farm # 1 and # 2. He referred the Committee to two resolutions for final approval for these farms and stated that staff recommendation is to grant final approval.

Ms. Craft stated that the now proposed configuration of these two farms will include a severable exception of roughly twenty one acres down by the woods for a total of three housing opportunities, two will be on the High Ridge # 1 farm and the other on the High Ridge # 2 farm. This approval is also reflecting a proposed sale of a conservation easement from the property line or Doctor's Creek up to the top of the bank to Monmouth County. That conservation easement will not include public access at this time but will reserve the opportunity in the future for the property owners to convey that access if they desire. The conservation easement will need to include sufficient provisions to create irrigation access across the conservation easement to service the preserved farms. The SADC's understanding is that Monmouth County has offered to compensate the landowner for the area subject to the conservation easement equivalent to the value of the

development easement certified by the SADC.

Mr. Wojcik, owner of High Ridge Farm # 1 and # 2 addressed the Committee. He stated that he is unhappy about the conservation easement to the County and he doesn't know what is going to happen in the future. Politics sometimes can force someone to do something. He stated that he hopes that the county doesn't force him to have public access. If he decides on his own, then he'll be happy to do so but he doesn't want to be forced to do it. Ms. Craft stated that perhaps he should look to include that language in his conservation easement as it is negotiated with the county.

It was moved by Ms. Reade and seconded by Dr. Dey to approve Resolution FY2011R9(22) and Resolution FY2011R9(23) granting final approval to the following landowners as presented and discussed, and subject to any conditions of said resolutions:

1. High Ridge Holding Co # 1 (Resolution FY2011R9(22))  
Block 27, Lot 22, Upper Freehold Township, Monmouth County, 180 Net Acres  
Development Easement Value at \$21,000.00 per acre for approximately \$3,780,000.00 based on 180 acres, subject to conditions contained in Schedule "B" of said Resolution. The SADC approves an approximate 16 acre severable exception that shall be limited to two single-family residences; The SADC approves a six-acre nonseverable exception around an existing three unit residence with the condition that if the structure should be destroyed or replaced it can only be replaced with one single family residence or a residence with up to three units as currently exists; The SADC approves a severable exception with conservation easement restrictions to the Monmouth County Parks Department for the certified easement value of \$21,000.00 per acre on an area from the top of slope to the property line along Doctor's Creek, approximately 12 acres +/-, which will be identified as a severable exception area at closing, offer no public access at this time and reserve irrigation access to service the preserved farm.
2. High Ridge Holding Co. # 2 (Resolution FY2011R9(23))  
Block 27, Lot 23, Upper Freehold Township, Monmouth County, 125 Net Acres  
Development Easement Value at \$22,000.00 per acre for approximately \$2,750,000.00 based on 125 acres subject to the conditions contained in Schedule "B" of resolution; The SADC approves an approximate six acre severable exception as identified on Schedule "A" of said resolution that shall be limited to one single family residence and access shall be provided via the 16+/- acre severable exception on the adjacent Lot 23

(High Ridge Farm # 1); the SADC approves a one acre nonseverable exception around an existing three unit residence with the condition that if the structure should be destroyed or replaced it can only be replaced with one single-family residence or a residence with up to three units as currently exists; The SADC approves the sale of a severable exception with conservation easement restrictions to the Monmouth County Parks Department for the certified easement value of \$22,000.00 per acre on an area from the top of slope to the property line along Doctor's Creek, approximately 1 acre+/-, which will be identified as a severable exception area at closing, offer no public access at this time and reserve irrigation access to service the preserved farm.

The motion was approved. (Mr. Waltman opposed and Mr. Siegel abstained.) (A copy of Resolution FY2011R9(23) and Resolution FY2011R9(24) is attached to and is a part of these minutes.)

**C. ATTORNEY/CLIENT MATTERS**

None

**ADJOURNMENT**

There being no further business, it was moved by Ms. Reade and seconded by Mr. Waltman and unanimously approved to adjourn the meeting at 3:01 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Susan E. Craft", followed by a stylized flourish or checkmark.

Susan E. Craft, Executive Director  
State Agriculture Development Committee

Attachments

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R9(1)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**MORRIS COUNTY**

**CENTENARY COLLEGE**

**SEPTEMBER 23, 2010**

WHEREAS, **Centenary College, SADC ID#14-0059-EP**, located in Washington Township, Morris County has conveyed a development easement on the Premises to the Morris County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Morris County Agriculture Development Board, which expires on June 26, 2017; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC in FY2010 from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowner; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2010 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:


<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Centenary College	#14-0059-EP	\$ 17,872.50	23

**Project Description:** Installation of animal waste control facilities consisting of a 1,200 square feet of dry stack waste storage facility, a 450 foot single lane gravel and geotextile access road and a 500 square foot gravel and geotextile heavy use protection area; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

#### VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	ABSENT
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

EXECUTIVE DIRECTOR, SADC

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY11R9(2)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**EAST AMWELL TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Louis & Jeanne Zuegner  
East Amwell Township, Hunterdon County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID# 10-0294-PG**

**SEPTEMBER 23, 2010**

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from East Amwell Township, which included the Zuegner Farm, identified as Block 17, Lot 34, East Amwell Township, Hunterdon County, totaling approximately 77.5 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Zuegner Farm includes a 5-acre non-severable exception for the existing single-family residence, apartment, and improvements; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of East Amwell Township's PIG on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on June 24, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, to date \$750,000.00 has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date East Amwell Township has not expended any of its SADC grant funds; and

WHEREAS, East Amwell Township has no other projects pending against this balance; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on September 24, 2009 the SADC certified a value of \$13,000 / acre based on the "current value" date of December 2008 for the development easement for the Property; and



WHEREAS, the landowner has accepted the SADC certified value for the sale of the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the East Amwell Township Committee approved the application and its funding commitment for 20% of the easement purchase (\$2,600 per acre) on the Zuegner Farm on August 12, 2010 and the Hunterdon County Agriculture Development Board approved the application on September 9, 2010 and secured a commitment of funding for 20% of the easement purchase (\$2,600 per acre) from the Hunterdon County Board of Chosen Freeholders for the required local match on September 21, 2010; and

WHEREAS, the estimated cost share break down is as follows:

	<u>Cost Share</u>	
SADC	\$604,500.00	
East Amwell Twp.	\$201,500.00	
Hunterdon County	<u>\$201,500.00</u>	
	\$1,007,500.00	; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to East Amwell Township for the purchase of a development easement on the Zuegner Farm by Hunterdon County, comprising approximately 77.5 acres, at a State cost share of \$7,800 per acre for an estimated total of \$604,500 (60% of certified market value and purchase price and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Hunterdon County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Zuegner, Louis & Jeanne

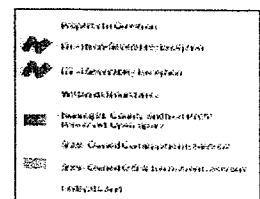
Block 17 Lots P/O 34 (78.71 ac) & P/O 34-EN (non-severable exception - 4.97 ac)

Gross Total = 83.68 ac

East Amwell Twp., Hunterdon County

0 125 250 500 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and georeferenced location of parcels/polylines in this data layer are approximate and are developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be relied upon to be relied upon in making any legal or financial decision and location of the ground, vertical and horizontal control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



**Wetlands Legend:**

- F - Freshwater Wetland
- L - Lentic Wetland
- N - Non-Freshwater Wetland
- W - Wetland of Unknown Type

**Source:**  
NJ DEP ArcView Wetlands Data  
Green Acres Conservation Easement Data  
NJ DEP GIS 2007-2008 Digital Aerial Imagery

Date: 6/22/2009

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Zuegner, Louis & Jeanne (B17-L34)  
10- 0294-PG  
FY 2009 PIG EP - Municipal 2007 Rule  
77 Acres

Block 17	Lot 34	East Amwell Twp.	Hunterdon County
----------	--------	------------------	------------------

<b>SOILS:</b>	Other	11% * 0	=	.00	
	Prime	49% * .15	=	7.35	
	Statewide	40% * .1	=	4.00	
				<b>SOIL SCORE:</b>	<b>11.35</b>

<b>TILLABLE SOILS:</b>	Cropland Harvested	98% * .15	=	14.70	
	Other	2% * 0	=	.00	
				<b>TILLABLE SOILS SCORE:</b>	<b>14.70</b>

<b>FARM USE:</b>	Cash Grains	77 acres
------------------	-------------	----------

NO MOTION FOR CERTIFIED VALUE

The Township is contracted to purchase the easement for per acre.

The SADC approves a purchase price of the development easement of per acre for an estimated

The SADC % cost share pursuant to N.J.A.C. 2:76-6.11 is per acre for an estimate of County % cost share is per acre for an estimate of

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st five (5) acres for existing residence, apartment, other improvements & septic
    - Exception is not to be severed from Premises
    - Exception is to be restricted to two single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:
    - No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(3)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Robert and Linda, Charles and Rose Runge ("Owner")**

**"Runge Farm #2"**

**Alexandria Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.**

**SADC ID# 10-0284-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Runge #2 farm, identified as Block 19, Lot 13, Alexandria Township, Hunterdon County, totaling approximately 77 acres "Property" as identified on the attached map Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Runge #2 farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in the Highlands Planning Area; and

WHEREAS, the Property includes one, 4-acre non-severable exception area restricted to a maximum of three existing residential units and no pre-existing non-agricultural uses; and

WHEREAS, the Property has a rank score of 77.42 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 6/30/2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010, the SADC certified a value of the development easement of \$8,000 per acre based on 1/1/04 zoning and environmental regulations and \$6,500 per acre based on current zoning and environmental regulations as of date of valuation 4/01/09; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 79.310 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$8,000 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, to date no other SADC base grant funds available to the County have been encumbered, leaving a cumulative balance of \$2,000,000; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$388,619 from the base grant, leaving a cumulative balance of \$1,611,381 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alexandria Township approved the application on 7/14/2010 committing \$1,550 per acre, and the County Agriculture Development Board approved the application on 5/13/2010 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,550 per acre needed to cover the entire local cost share of \$3,100 per acre;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Runge #2 Farm, comprising approximately 79.310 acres, at a State cost share of \$4,900 per acre (61.25% of certified market value) for a total grant need of approximately \$388,619.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and


BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

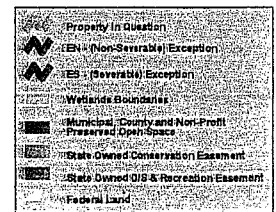
Wetlands



Application within the Highlands Planning Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Runge Farm (# 2)  
Block 19 Lots P/O 13 (72.6 ac) & P/O 13-EN (non-severable exception - 4.0 ac)  
Gross Total = 76.6 ac  
Alexandria Twp., Hunterdon County



500 250 0 500 1,000 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2007/2008 Digital Aerial Image

May 19, 2009



Hur. County

New Jersey Farm Preservation Program  
Preservation Program  
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Schedule L

Farm	Municipality	App. Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Cap	Cum	Balance subject to availability & approval
									Encumbered at Final	Base Grant Balance	Encumbered at Final	Competitive Grant Balance	Total	Encumbered	
Runge et al #2	Alexandria	79,310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	2,279,358.41
Nemeth	Alexandria	101,970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	1,081,137.00					
Emmons	Delaware	43,260	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	769,665.00					
Gulick III	West Amwell	17,510	7,600.00	7,600.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51,500	6,850.00	6,850.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	464,630.50					
Runge et al #1	Alexandria	36,998	9,800.00	9,800.00	5,880.00	60.00%	362,576.48	217,545.89	217,545.89	247,084.61					
Frick/Levick	Alexandria	43,260	7,400.00	7,400.00	4,500.00	62.16%	320,124.00	198,996.00	198,996.00	48,088.61					
Perryville Road LLC/Roerig	Union	62,830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41			
Smith, Craig	Delaware	65,920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00	2,279,358.41					
		0.000													
Rehpletz	Tewksbury	44,290													
Copeland	Delaware	74,160													
Total Pending	11	621,008						2,720,641.59							
Total Encumbered									2,000,000.00		720,641.59			2,720,641.59	
Closed/Expended															2,279,358.41
Total															
Reprogram Out															

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Runge Farm #2  
10- 0284-PG  
FY 2009 County PIG Program  
77 Acres

Block 19	Lot 13	Alexandria Twp.	Hunterdon County
<b>SOILS:</b>		Other	31.75% * 0 = .00
		Prime	44.59% * .15 = 6.69
		Statewide	23.66% * .1 = 2.37
			<b>SOIL SCORE: 9.05</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	77% * .15 = 11.55
		Permanent Pasture	7% * .02 = .14
		Woodlands	16% * 0 = .00
			<b>TILLABLE SOILS SCORE: 11.69</b>
<b>FARM USE:</b>		Ornament Nursery Products	62 acres
		Cash Grains	7 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st four (4) acres for exclude existing residences and barns
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed
    - Exception is to be restricted to three single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(4)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Frank, Rose and Edward Nemeth ("Owner")**

**Nemeth Farm**

**Alexandria Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.**

**SADC ID# 10-0285-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Nemeth farm, Block 14, Lot 15, Alexandria Township, Hunterdon County, totaling approximately 99 acres ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Nemeth farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in the Highlands Planning Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 3-acre non-severable exception area restricted to the existing residential unit; and

WHEREAS, the Property has a rank score of 67.08 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/1/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 23, 2010 the SADC certified a development easement value of \$8,600 per acre based on 1/1/04 zoning and environmental regulations and \$7,400 per acre based on current zoning and environmental regulations as of the 4/01/09 valuation date; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 101.97 acres will be utilized to calculate the grant need; and

WHEREAS, Alexandria Township purchased the easement on April 27, 2009 for \$10,500 per acre and recorded August 7, 2009 in the Hunterdon County Clerk's Office Deed Book 2235, page 103; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Township offered to assign the development easement to the county, basing the reimbursement on the SADC certified easement value of \$8,600 per acre; and

WHEREAS, the County will pay to the Township a total of \$6,899.79 per acre, which includes the \$5,200 per acre SADC cost share and Hunterdon County's \$1,699.79 per acre for a total of \$6,899.79 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and the ranking and submitted the ranking to the SADC on July 27, 2010 to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14 and;

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$530,244 from its \$2,000,000 base grant, leaving a cumulative balance of \$1,081,137 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alexandria Township approved the assignment of the development easement and a cost share based upon the SADC certified easement value (which is less than the Township's purchase price) to the County on 7/14/2010, and the County

Agriculture Development Board approved the application on 9/9/2010 and the County Board of Chosen Freeholders approved the application on 9/21/10 with a commitment of providing funding needed to cover the County cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Nemeth Farm, comprising approximately 101.97 acres, at a State cost share of \$5,200 per acre (60.47% of certified market value) for a total grant need of approximately \$530,244.00 pursuant to N.J.A.C. 2:76-6.11 (Schedule C); and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$530,244.00 ; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

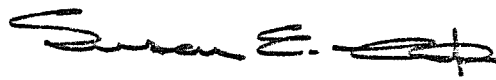
BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

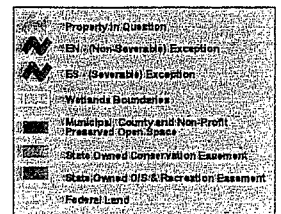
Application within the Highlands Planning Area



x:\counties\hunco/projects\nemeth09fwfww.mxd

**FARMLAND PRESERVATION PROGRAM**  
**NJ State Agriculture Development Committee**

Edward, Frank and Rose Nemeth  
 Block 14 Lots P/O 15 (99.2 ac) & P/O 15-EN (non-severable exception - 3.0 ac)  
 Gross Total = 102.2 ac  
 Alexandria Twp., Hunterdon County



**Wetlands Legend:**  
 F - Freshwater Wetlands  
 L - Linear Wetlands  
 M - Wetlands Modified for Agriculture  
 T - Tidal Wetlands  
 N - Non-Wetlands  
 B - 300' Buffer  
 W - Water

**Sources:**  
 NJDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJOT/OGIS 2007/2008 Digital Aerial Image

May 14, 2009

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Hun County

New Jersey Fair Preservation Program  
Preservation Program  
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Schedule C

Fair	Municipality	App. Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant % Per Acre	Easement Consideration	SADC		2,000,000		3,000,000		Cap	Cum	Balance subject to availability
								Cost	Share	Encumbered at Final	Base Grant Balance	Encumbered at Final	Competitive Grant Balance	Total	Encumbered	
Runge et al #2	Alexandria	79,310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	2,279,358.41
Nenneth	Alexandria	101,970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	530,244.00	1,081,137.00					
Emmons	Delaware	43,260	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	311,472.00	769,865.00					
Guilick III	West Amwell	17,510	7,600.00	7,600.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51,500	6,850.00	6,850.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	222,737.50	464,630.50					
Runge et al #1	Alexandria	36,998	9,800.00	9,800.00	5,880.00	60.00%	362,576.48	217,545.89	217,545.89	217,545.89	247,084.61					
Frick/Levick	Alexandria	43,260	7,400.00	7,400.00	4,600.00	62.16%	320,124.00	198,996.00	198,996.00	198,996.00	48,088.61					
Perryville Road LLC/Roering	Union	62,830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41			
Smith, Craig	Delaware	65,920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00	395,520.00	0.00	395,520.00	2,279,358.41			
		0,000														
		0,000														
Rothpletz	Tewksbury	44,290														
Copeland	Delaware	74,160														
Total Pending	11	621,008						2,720,641.59								
Total Encumbered										2,000,000.00		720,641.59			2,720,641.59	
Closed/Expended																2,279,358.41
Total																
Reprogram Out																



State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Frank Nemeth Farm  
10- 0285-PG  
FY 2009 County PIG Program  
99 Acres

Block 14	Lot 15	Alexandria Twp.	Hunterdon County
<b>SOILS:</b>		Other	53% * 0 = .00
		Prime	29.42% * .15 = 4.41
		Statewide	17.58% * .1 = 1.76
			<b>SOIL SCORE: 6.17</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	85.86% * .15 = 12.88
		Woodlands	14.14% * 0 = .00
			<b>TILLABLE SOILS SCORE: 12.88</b>
<b>FARM USE:</b>		Field Crop Except Cash Grain	acres
		Hay	acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st three (3) acres for around existing dwelling and buildings
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed
    - Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(5)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Alice & William Emmons ("Owner")  
Delaware Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 10-0293-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Emmons farm, Block 38, Lot 8, Delaware Township, Hunterdon County, totaling approximately 42 acres hereinafter, ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Emmons farm is located in Hunterdon County's South Project Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 3-acre non-severable exception area restricted to the two existing residential units; and

WHEREAS, the Property has a rank score of 76.04 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/17/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010 the SADC certified a development easement value of \$12,000 per acre based on 1/1/04 zoning and environmental regulations and current zoning and environmental regulations as of the 4/01/09 valuation date; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 43.26 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$12,000 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$311,472 from its base grant, leaving a cumulative balance of \$769,665 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Delaware Township approved the application on 6/14/10 and a cost share in the amount of \$2,400 per acre, and the County Agriculture Development Board approved the application on 5/13/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$2,400 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Emmons Farm, comprising approximately 43.26 acres, at a State cost share of \$7,200 per acre (60.00% of certified market value) for a total grant need of approximately \$769,665 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$769,665; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and


BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

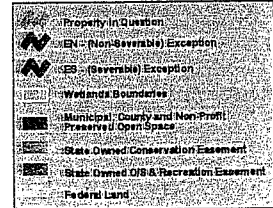
Application within the (PA4b) Rural Env Sensitive Area

x:\counties\hunco\projects\emmons09fww.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alice Emmons  
Block 38 Lots P/O 8 (40.6 ac) & P/O 8-EN (non-severable exception - 3.0 ac)  
Gross Total = 43.6 ac  
Delaware Twp., Hunterdon County



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Total Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

May 27, 2009

Farm	Municipality	App. Plus 3 Percent	SADC Certified Acres	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant % Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Balance Subject to availability
									Encumbered at Final	Base Grant Balance	Encumbered at Final	Competitive Grant Balance	
Runge et al #2	Alexandria	79.310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	1,611,381.00			
Nemeth	Alexandria	101.970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	1,081,137.00			
Emmons	Delaware	43.260	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	769,665.00			
Gulick III	West Amwell	17.510	7,800.00	7,800.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	687,368.00			
Gardner	Holland	51.500	6,850.00	6,850.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	484,630.50			
Runge et al #1	Alexandria	36.998	9,800.00	9,800.00	5,880.00	60.00%	362,576.48	217,545.88	217,545.88	247,084.61			
Frick/Levick	Alexandria	43.260	7,400.00	7,400.00	4,600.00	62.16%	320,124.00	198,996.00	198,996.00	48,088.61			
Perryville Road LLC/Reelig	Union	62.830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41	
Smith, Craig	Delaware	85.920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00	2,279,358.41			
		0.000											
Rollplatz	Tewksbury	44.290											
Copeland	Delaware	74.160											
Total Pending	11	621.008						2,720,641.59					
Total Encumbered									2,000,000.00		720,641.59		2,720,641.59
Closed/Expended													2,279,358.41
Total													
Reprogram Out													

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Emmons Farm  
10- 0293-PG  
FY 2009 County PIG Program  
42 Acres

Block 38	Lot 8	Delaware Twp.	Hunterdon County	
<b>SOILS:</b>		Prime	55.99% * .15	= 8.40
		Statewide	44.01% * .1	= 4.40
			<b>SOIL SCORE:</b>	12.80
<b>TILLABLE SOILS:</b>		Cropland Harvested	100% * .15	= 15.00
			<b>TILLABLE SOILS SCORE:</b>	15.00
<b>FARM USE:</b>	Hay		21 acres	
	Cash Grains		21 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st three (3) acres for Around existing house
    - Exception is not to be severed from Premises
    - Exception is to be restricted to two single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:
    - No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(6)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Gulick III Farm LLC ("Owner")**

**West Amwell Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.**

**SADC ID# 10-0286-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Gulick III Farm, Block 14, Lot 33.05, West Amwell Township, Hunterdon County, totaling approximately 17 acres ("Property") and as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Gulick III Farm farm is located in Hunterdon County's South Project Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor; and

WHEREAS, the Property has no exceptions and no pre-existing non-agricultural uses; and

WHEREAS, the Property has a rank score of 62.87 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/17/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010, the SADC certified a value of for the development easement of \$7,600 per acre based on 1/1/04 zoning and environmental regulations and \$6,500 per acre based on current zoning and environmental regulations as of date of valuation 4/01/09; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 17.51 acres will be utilized to calculate the grant need; and



WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$7,600 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$82,297 from its base grant, leaving a cumulative balance of \$687,368 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, West Amwell Township approved the application on 6/2/10 and a cost share in the amount of \$1,450 per acre, and the County Agriculture Development Board approved the application on 6/10/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,450 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Gulick III farm, comprising approximately 17.51 acres, at a State cost share of \$4,700 per acre (61.84% of certified market value) for a total grant need of approximately \$82,297 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$82,297; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

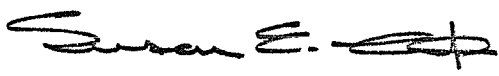
BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

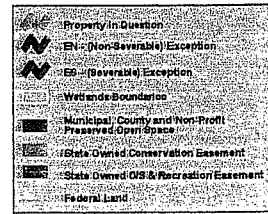
Schedule M



x:/counties/hunco/projects/gulick09fww.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Elsie and Martha Gulick/Douglas Tuers  
Block 14 Lot 33.05 (15.7 ac)  
Gross Total = 15.7 ac  
West Amwell Twp., Hunterdon County



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

May 26, 2009

Hun County

New Jersey Fair Preservation Program  
Preservation Program  
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Schedule 1

Farm	Municipality	App. Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Gap Total	Cum	Balance subject to availability & approval
									Encumbered at Final	Base Grant Balance	Encumbered at Final	Competitive Grant Balance			
Runge et al #2	Alexandria	79.310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	2,279,358.41
Nemeth	Alexandria	101.970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	1,081,137.00					
Ermons	Delaware	43.280	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	789,685.00					
Gulick III	West Amwell	17.510	7,600.00	7,600.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51.500	6,850.00	6,850.00	4,325.00	63.14%	352,775.48	222,737.50	222,737.50	484,630.50					
Runge et al #1	Alexandria	36.998	9,800.00	9,800.00	5,880.00	60.00%	352,576.48	217,545.89	217,545.89	247,084.61					
Frick/Levick	Alexandria	43.280	7,400.00	7,400.00	4,600.00	62.18%	320,124.00	198,996.00	198,996.00	48,088.61					
Perryville Road LLC/Roerig	Union	62.830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41			
Smith, Craig	Delaware	65.920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00		395,520.00	2,279,358.41			
		0.000													
		0.000													
Rothpletz	Tewksbury	44.290													
Copeland	Delaware	74.160													
Total Pending	11	621.008						2,720,641.59							
Total Encumbered									2,000,000.00		720,641.59			2,720,641.59	
Closed/Expended															2,279,358.41
Total															
Reprogram Out															

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Gulick Farm III.  
10- 0286-PG  
FY 2009 County PIG Program  
17 Acres

Block 14	Lot 33.05	West Amwell Twp.	Hunterdon County
<b>SOILS:</b>		Other	11.3% * 0 = .00
		Prime	47.8% * .15 = 7.17
		Statewide	40.9% * .1 = 4.09
			<b>SOIL SCORE: 11.26</b>
<b>TILLABLE SOILS:</b>		Cropland Pastured	40% * .15 = 6.00
		Permanent Pasture	40% * .02 = .80
		Woodlands	20% * 0 = .00
			<b>TILLABLE SOILS SCORE: 6.80</b>
<b>FARM USE:</b>	Beef Cattle Feedlots	14 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions: No Exceptions Recorded
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(7)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Billie and Donna Gardner ("Owner")  
Holland Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 10-0287-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Gardner farm Block 6, Lot 48, Holland Township, Hunterdon County, totaling approximately 50 acres ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Gardner farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in a Highlands Planning Area; and

WHEREAS, the property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 2-acre non-severable exception area restricted to one residence; and

WHEREAS, the Property has a rank score of 66.88 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/17/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010, the SADC certified a value of for the development easement of \$6,850 per acre based on 1/1/04 zoning and environmental regulations and \$5,650 per acre based on current zoning and environmental regulations as of date of valuation 4/01/09; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 51.5 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$6,850 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$222,737.50 from its base grant, leaving a cumulative balance of \$464,630.50 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Holland Township approved the application on 6/15/10 and a cost share in the amount of \$1,262.50 per acre, and the County Agriculture Development Board approved the application on 5/13/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,262.50 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Billie and Donna Gardner farm, comprising approximately 51.5 acres, at a State cost share of \$4,325 per acre (63.14% of certified market value) for a total grant need of approximately \$222,737.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$222,737.50; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(7)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY  
for the  
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**September 23, 2010**

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WHEREAS, the Gardner farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in a Highlands Planning Area; and

WHEREAS, the property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 2-acre non-severable exception area restricted to one residence; and

WHEREAS, the Property has a rank score of 66.88 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

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WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$222,737.50 from its base grant, leaving a cumulative balance of \$464,630.50 (Schedule B); and

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WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Holland Township approved the application on 6/15/10 and a cost share in the amount of \$1,262.50 per acre, and the County Agriculture Development Board approved the application on 5/13/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,262.50 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Billie and Donna Gardner farm, comprising approximately 51.5 acres, at a State cost share of \$4,325 per acre (63.14% of certified market value) for a total grant need of approximately \$222,737.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$222,737.50; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and


BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

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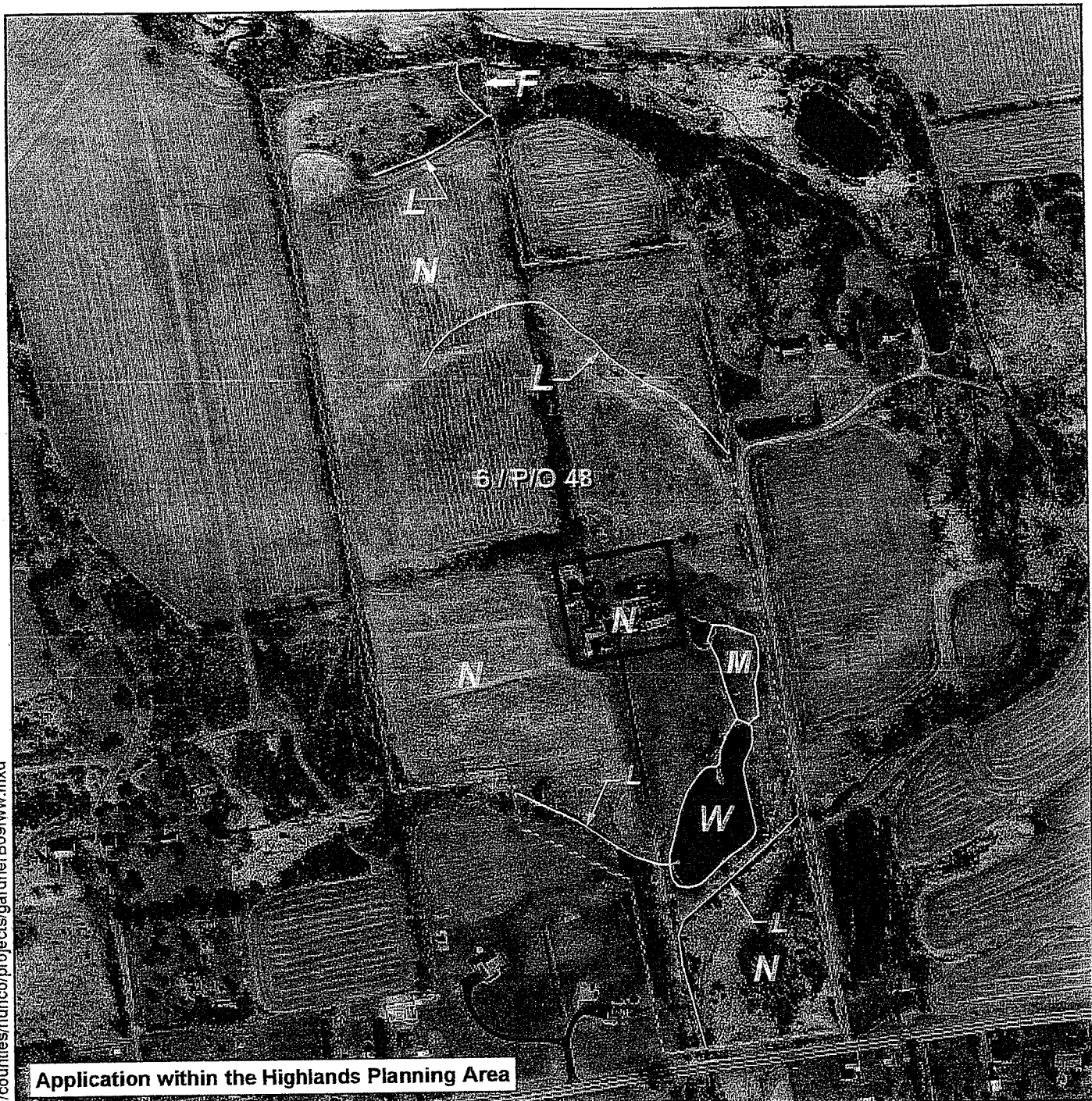
9/23/10  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

x:\counties\hunco\projects\gardner\B09fww.mxd



Application within the Highlands Planning Area

# **FARMLAND PRESERVATION PROGRAM** **NJ State Agriculture Development Committee**

Gardner, Billie  
 Block 6 Lots P/O 48 (49.74 ac) & P/O 48-EN non-severable exception - 2.0 ac)  
 Gross Total = 51.74 ac  
 Holland Twp., Hunterdon County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundary
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OIS & Recreation Easement
	Federal Land

**Wetlands Legend:**  
 F - Freshwater Wetlands  
 L - Linear Wetlands  
 M - Wetlands Modified for Agriculture  
 T - Tidal Wetlands  
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**Sources:**  
 NJDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJOTI/GIS 2007/2008 Digital/Aerial Image

Date: 5/15/2009

Schedule 1

Farm	Municipality	App Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grants Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Cap	Cum	Balance subject to availability
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Smith, Craig		65,920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00	2,279,358.41					
		0,000													
		0,000													
Rothpletz	Tewksbury	44,290													
Copeland	Delaware	74,160													
Total Pending	11	621,008						2,720,641.59							
Total Encumbered									2,000,000.00		2,720,641.59			2,720,641.59	
Closed/Expended															2,279,358.41
Total															
Reprogram Out															

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Gardner, Billie & Donna  
10- 0287-PG  
FY 2009 County PIG Program  
50 Acres

Block 6	Lot 48	Holland Twp.	Hunterdon County
<b>SOILS:</b>		Other	24% * 0 = .00
		Prime	37.68% * .15 = 5.65
		Statewide	38.32% * .1 = 3.83
			<b>SOIL SCORE: 9.48</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	79% * .15 = 11.85
		Other	2.4% * 0 = .00
		Wetlands	.6% * 0 = .00
		Woodlands	18% * 0 = .00
			<b>TILLABLE SOILS SCORE: 11.85</b>
<b>FARM USE:</b>		Wheat-Cash Grain	25 acres
		Hay	25 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding:
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st two (2) acres for around existing dwelling
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed
    - Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(8)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Robert & Charles, Linda & Rose Runge ("Owner")  
Runge #1 Farm  
Alexandria Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 10-0283-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Runge #1 farm, Block 23, Lot 1, Alexandria Township, Hunterdon County, totaling approximately 35.92 acres ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Runge #1 farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in Highlands Planning Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 3-acre non-severable exception area restricted to one residence; and

WHEREAS, the Property has a rank score of 66.88 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 6/30/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010, the SADC certified a value of the development easement of \$9,800 per acre based on the zoning and environmental regulations on 1/104 and as of the current date of valuation 4/01/09; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 36.998 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$9,800 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$217,545.89 from its base grant, leaving a cumulative balance of \$247,084.61 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alexandria Township approved the application on 7/14/10 and a cost share in the amount of \$1,960 per acre, and the County Agriculture Development Board approved the application on 5/13/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,960 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Runge #1 Farm, comprising approximately 36.998 acres, at a State cost share of \$5,880 per acre (60% of certified market value) for a total grant need of approximately \$217,545.89 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$217,545.89; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

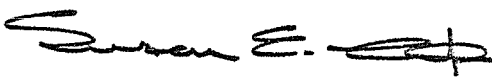
BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES





Sources:  
NJDEP Freshwater Wetlands Data.  
Green Acres Conservation Easement Data  
NJGIS 2007/2008 Digital Aerial Image

May 19, 2009

Runge Farm (# 1)  
Block 23 Lots P/O 1 (34.0 ac) & P/O 1-EN (non-severable exception - 2.9 ac)  
Gross Total = 36.9 ac  
Alexandria Twp., Hunterdon County



**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and georeferenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and map shall not be relied upon in matters requiring legal decision and liability. These data were derived from ground truth information and a vector format to be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

horizontal and/or vertical con-  
Professional Land Surveyor

31/12/20

2007 rules country by 2009 country by 2011 financial status by 2011

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Runge Farm #1  
10- 0283-PG  
FY 2009 County PIG Program  
36 Acres

Block 23	Lot 1	Alexandria Twp.	Hunterdon County
<b>SOILS:</b>		Prime	67.6% * .15 = 10.14
		Statewide	32.4% * .1 = 3.24
			<b>SOIL SCORE: 13.38</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	100% * .15 = 15.00
			<b>TILLABLE SOILS SCORE: 15.00</b>
<b>FARM USE:</b>		Ornamental Shrub & Tree Services	35 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st three (3) acres for exclude existing dwelling and farm bldgs
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed
    - Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:
    - No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(9)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Tracey Frick and Stephanie Levick ("Owners")  
Alexandria Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 10-0292-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Frick/ Levick farm Block 15, Lot 13, Alexandria Township, Hunterdon County, totaling approximately 42 acres, ("Property") and as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Tracey Frick/ Stephanie Levick farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in the Highlands Planning Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes two, half-acre non-severable exception areas each restricted to one residence for a total of two residences; and

WHEREAS, the Property has a rank score of 69.25 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 8/7/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 25, 2010, the SADC certified a value of for the development easement of \$7,400 per acre based on 1/1/04 zoning and environmental regulations and \$5,000 per acre based on current zoning and environmental regulations as of date of valuation 4/01/09; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 43.26 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$7,400 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$198,996 from its base grant, leaving a cumulative balance of \$48,088.61 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alexandria Township approved the application on 7/14/10 and a cost share in the amount of \$1,400 per acre, and the County Agriculture Development Board approved the application on 6/10/10 and the County Board of Chosen Freeholders approved the application on 7/06/10 with a commitment of providing the \$1,400 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Frick/ Levick Farm, comprising approximately 43.26 acres, at a State cost share of \$4,600 per acre (62.16% of certified market value) for a total grant need of approximately \$198,996 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$198,996; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

Schedule A

x:\counties\hunco\projects\frick\T09fww.mxd



Application within the Highlands Planning Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Frick, Tracey & Levick, Stephanie  
Block 15 Lots P/O 13 (41.6 ac) & P/O 13-EN (non-severable exceptions - 1.0 ac)  
Net Total = 41.6 ac  
Alexandria Twp., Hunterdon County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OS & Recreation Easement
	Federal Land

**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

Date: 5/15/2006

Farm	Municipality	App. Plus 3 Percent	SADC Certified	Negotiated & Approved	SADC Grant	Grant %	Easement	SADC Cost	2,000,000		3,000,000		Cap	Cum	Balance subject to availability
									Encumbered at Final	Base Grant	Encumbered at Final	Competitive Grant			
		Acres	Per Acre	Per Acre	Per Acre	Per Acre	Consideration	Share		Balance		Balance	Total	Encumbered	& approval
Runge et al #2	Alexandria	79,310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	2,279,358.41
Nenneth	Alexandria	101,970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	1,081,137.00					
Emmons	Delaware	43,260	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	769,665.00					
Gulick III	West Amwell	17,510	7,600.00	7,600.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51,500	6,850.00	6,850.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	464,630.50					
Runge et al #1	Alexandria	36,998	9,800.00	9,800.00	5,880.00	60.00%	362,576.48	217,545.89	217,545.89	247,084.61					
Frick/Levick	Alexandria	43,260	7,400.00	7,400.00	4,600.00	62.16%	320,124.00	198,996.00	198,996.00	48,088.61					
Perryville Road LLC/Rosrig	Union	62,830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41			
Smith, Craig	Delaware	65,920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00		395,520.00	2,279,358.41			
		0,000													
		0,000													
Rothplatz	Tewksbury	44,290													
Copeland	Delaware	74,160													
Total Pending	11	621,008						2,720,641.59							
Total Encumbered									2,000,000.00		720,641.59			2,720,641.59	
Closed/Expended															2,279,358.41
Total															
Reprogram Out															



Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Frick/Levick Farm  
10- 0292-PG  
FY 2009 County PIG Program  
42 Acres

Block 15	Lot 13	Alexandria Twp.	Hunterdon County
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<b>SOILS:</b>	Other	12.91% *	0	=	.00
	Prime	69.87% *	.15	=	10.48
	Statewide	17.22% *	.1	=	1.72
				<b>SOIL SCORE:</b>	<b>12.20</b>

<b>TILLABLE SOILS:</b>	Cropland Pastured	88% *	.15	=	13.20
	Wetlands	12% *	0	=	.00
				<b>TILLABLE SOILS SCORE:</b>	<b>13.20</b>

<b>FARM USE:</b>	Horse & Other Equine	acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st (.5) acres for around existing dwelling  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit(s)
    - 2nd (.5) acres for around existing dwelling  
Exception is not to be severed from Premises  
Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(10)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Phillip Roerig ("Owner")  
Perryville Road LLC  
Union Township, Hunterdon County**

**N.J.A.C 2:76-17 et seq.  
SADC ID# 10-0289-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Perryville Road LLC/Roerig farm Block 30, Lot 8, Union Township, Hunterdon County, totaling approximately 61 acres ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Perryville Road LLC/Roerig farm is located in Hunterdon County's West Project Area; and

WHEREAS, the Property is located in the Highlands Planning Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 4-acre non-severable exception area restricted to one residence; and

WHEREAS, the Property has a rank score of 61.05 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/17/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 23, 2010 the SADC certified a development easement value of \$9,900 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$8,400 per acre based on zoning and environmental regulations in place as of the date of valuation 4/1/09; and

WHEREAS, Hunterdon County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 62.83 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$9,900 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14 (d)-(f) if there are insufficient funds available in a county's base grant the county may request additional funds from the competitive grant fund; and

WHEREAS, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund (Schedule C); and

WHEREAS, Hunterdon County is requesting to encumber the remaining \$48,088.61 from its base grant and \$325,121.59 from available competitive funds for the purchase of development easements on the Perryville Road LLC/Roerig Farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Union Township approved the application on 9/15/10 with a cost share in the amount of \$1,980 per acre, and the County Agriculture Development Board approved the application on 7/8/10 and the County Board of Chosen Freeholders approved the application on 9/21/10 with a commitment of providing the \$1,980 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Property comprising approximately 62.83 acres, at a State cost share of \$5,940 per acre (60% of certified market value) for a total grant of approximately \$373,210.20 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule D; and

BE IT FURTHER RESOLVED, that based on the priority ranking of applications competing for competitive grant funds pursuant to N.J.A.C. 2:76-17.14 2(e), the subject Property qualifies for competitive grant funds (Schedule C); and

BE IT FURTHER RESOLVED, should the County require additional funds for the Perryville Road LLC/Roerig Farm due to an increase in the final surveyed acreage the County may utilize unencumbered and available base grant funds to supplement the shortfall, however no additional SADC competitive grant funds above the \$325,121.59 are available for this Property; and

BE IT FURTHER RESOLVED, that any unused funds including the 3% buffer encumbered from either the base or competitive grant at the time of final approval shall be returned its respective sources (base or competitive grant fund) after closing on the easement purchase; and


BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

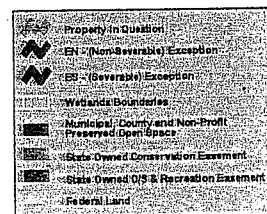
Schedule 11

x:\counties\hunco\projects\perryville09fww.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Perryville Rd. LLC (Roerig, Phillip)  
Block 30 Lots P/O 8 (58.3 ac) & P/O 8-EN (non-severable exception - 4.0 ac)  
Gross Total = 62.3 ac  
Union Twp., Hunterdon County



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOTI/OGIS 2007/2008 Digital Aerial Image

Date: 5/18/2009

Schedule -

Farm	Municipality	App. Plus 3 Percent Acres	SADC Certified		Negotiated & Approved Per Acre	SADC Grant Per Acre		Grant % Per Acre	Easement Consideration	SADC Cost Share		Base Grant		Competitive Grant		Cap		Balance subject to availability
			Per Acre	Per Acre		Per Acre	Per Acre			Share	Cost	Encumbered at Final	Balance	Encumbered at Final	Balance	Total	Encumbered	
Runge et al #2	Alexandria	79.310	8,000.00	8,000.00	8,000.00	4,900.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	2,279,358.41
Neneith	Alexandria	101.970	8,600.00	8,600.00	8,600.00	5,200.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	530,244.00	1,081,137.00					
Ermions	Delaware	43.260	12,000.00	12,000.00	12,000.00	7,200.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	311,472.00	789,685.00					
Gulick III	West Amwell	17.510	7,600.00	7,600.00	7,600.00	4,700.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51.500	6,850.00	6,850.00	6,850.00	4,325.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	222,737.50	484,630.50					
Runge et al #1	Alexandria	36.998	9,800.00	9,800.00	9,800.00	5,880.00	5,880.00	60.00%	362,576.48	217,545.89	217,545.89	217,545.89	247,084.61					
Frick/Lewick	Alexandria	43.260	7,400.00	7,400.00	7,400.00	4,600.00	4,600.00	62.16%	320,124.00	198,996.00	198,996.00	198,996.00	48,088.61					
Perryville Road LLC/Roerig	Union	62.830	9,900.00	9,900.00	9,900.00	5,940.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	373,210.20	2,674,878.41					
Smith, Craig	Delaware	65.920	10,000.00	10,000.00	10,000.00	6,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00	395,520.00	0.00	325,121.59	2,674,878.41			
		0.000																
		0.000																
Rothpletz	Tewksbury	44.290																
Copeland	Delaware	74.160																
Total Pending	11	621.008								2,720,641.59								
Total Encumbered												2,000,000.00		720,641.59			2,720,641.59	
Closed/Expended																		2,279,358.41
Total																		
Reprogram Out																		

Schedule

**New Jersey Farmland Preservation**  
**Competative Ranking Report**  
**Farms Receiving Final Approval September 23, 2010**  
**Farms to Utilize Competitive Grant Monies**

County	Municipality	Farm	Acres	Total Competative Rank Score	Density Ratio Points	Soils Ratio Points	Contiguous Points	Relative Best Buy Points
Monmouth County	Upper Freehold Twp.	Campusome, Inc. (R. Horzempa)	55	110	20	40	50	0
Hunterdon County	Delaware Twp.	Smith, Craig & Leslie	64	110	10	50	50	0
Hunterdon County	Union Twp.	Perryville Rd LLC (Roerig, Phillip)	61	70	0	30	40	0

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Perryville Road LLC (Phillip Roerig)  
10- 0289-PG  
FY 2009 County PIG Program  
61 Acres

Block 30	Lot 8	Union Twp.	Hunterdon County		
<b>SOILS:</b>		Other	12.7% *	0	= .00
		Prime	34.07% *	.15	= 5.11
		Statewide	53.23% *	.1	= 5.32
					<b>SOIL SCORE: 10.43</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	80% *	.15	= 12.00
		Wetlands	4% *	0	= .00
		Woodlands	16% *	0	= .00
					<b>TILLABLE SOILS SCORE: 12.00</b>
<b>FARM USE:</b>		Corn-Cash Grain	23 acres		
		Hay	23 acres		
		Berry	7 acres		

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st four (4) acres for around existing dwelling
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed
    - Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:
    - No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(11)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**HUNTERDON COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Craig and Leslie Smith ("Owner")  
Smith Farm  
Delaware Township, Hunterdon County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 10-0290-PG**

**September 23, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") approved a Planning Incentive Grant ("PIG") plan application from Hunterdon County which included the Smith farm, Block 21, Lots 3, 3.03 and 12.03, Delaware Township, Hunterdon County, totaling approximately 64 acres hereinafter ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Hunterdon County's PIG plan on 5/22/08; and

WHEREAS, the Smith farm is located in Hunterdon County's South Project Area; and

WHEREAS, the Property has zero (0) existing single family residences and zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, the Property includes one, 6-acre severable exception area restricted to the one existing residence; and

WHEREAS, the Property also includes one, 1-acre non-severable exception area restricted to one existing residence; and

WHEREAS, the Property has a rank score of 60.75 which exceeds 70% of the County's average quality score of 40, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 7/17/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 23, 2010 the SADC certified a development easement value of \$10,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and as of the date of valuation 4/1/09; and

WHEREAS, Hunterdon County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 65.92 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$10,000 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on July 27, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Hunterdon County Agriculture Development Board has encumbered its full \$2,000,000 base grant (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8 and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, Hunterdon County has \$2,674,878.41 potentially available in FY09 competitive funding, conditioned on upon availability (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14 (d)-(f) if there are insufficient funds available in a county's base grant the county may request additional funds from the competitive grant fund; and

WHEREAS, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund (Schedule C); and

WHEREAS, Hunterdon County is requesting \$395,520 from available competitive funds for the purchase of development easements on the Craig and Leslie Smith Farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Delaware Township approved the application on 6/14/10 with a cost share in the amount of \$2,000 per acre, and the County Agriculture Development Board approved the application on 6/10/10 and the County Board of Chosen Freeholders approved the application on 7/6/10 with a commitment of providing the \$2,000 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Property comprising approximately 65.92 acres, at a State cost share of \$6,000 per acre (60% of certified market value) for a total grant of approximately \$395,520 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule D; and

BE IT FURTHER RESOLVED, that based on the priority ranking of applications competing for competitive grant funds pursuant to N.J.A.C. 2:76-17.14 2(e), the subject Property qualifies for competitive grant funds; and

BE IT FURTHER RESOLVED, should the County require additional funds for the Smith Farm due to an increase in the final surveyed acreage the County may utilize unencumbered and available base grant funds to supplement the shortfall, however no additional SADC competitive grant funds above the \$395,520 are available for this Property; and

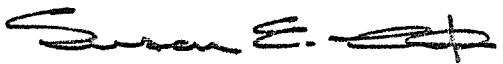
BE IT FURTHER RESOLVED, that any unused funds including the 3% buffer encumbered from either the base or competitive grant at the time of final approval shall be returned its respective sources (base or competitive grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

# Schedule A

Application within the (PA4b) Rural Env. Sensitive Area



x:\counties\hunco/projects\smith09\fwfww.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

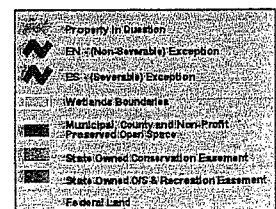
Craig and Leslie Smith

Block 21 Lots P/O 3 (8.0 ac) & P/O 3-ES (severable exception - 6.0 ac)

P/O 3.03 (47.1 ac), P/O 3.03-EN (non-severable exception - 1.1 ac) & 12.03 (9.3 ac)

Gross Total = 71.5 ac

Delaware Twp., Hunterdon County



500 250 0 500 1,000 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOTITOGIS 2007/2008 Digital Aerial Image

May 13, 2009

# Schedule B

Farm	Municipality	App. Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grants Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Cap Total	Cum. Encumbered	Balance subject to availability & approval 2,279,358.41
									Encumbered at Final	Balance	Encumbered at Final	Balance			
Runge et al #2	Alexandria	79,310	8,000.00	8,000.00	4,900.00	61.25%	634,480.00	388,619.00	388,619.00	1,611,381.00			5,000,000.00	2,720,641.59	
Nemeth	Alexandria	101,970	8,600.00	8,600.00	5,200.00	60.47%	876,942.00	530,244.00	530,244.00	1,081,137.00					
Emmons	Delaware	43,260	12,000.00	12,000.00	7,200.00	60.00%	519,120.00	311,472.00	311,472.00	769,665.00					
Gulick III	West Amwell	17,510	7,600.00	7,600.00	4,700.00	61.84%	133,076.00	82,297.00	82,297.00	687,368.00					
Gardner	Holland	51,500	6,850.00	6,850.00	4,325.00	63.14%	352,775.00	222,737.50	222,737.50	464,630.50					
Runge et al #1	Alexandria	36,998	9,800.00	9,800.00	5,880.00	60.00%	362,576.48	217,545.89	217,545.89	247,084.61					
Frick/Levick	Alexandria	43,260	7,400.00	7,400.00	4,600.00	62.16%	320,124.00	198,998.00	198,998.00	48,088.61					
Perryville Road LLC/Roerig	Union	62,830	9,900.00	9,900.00	5,940.00	60.00%	622,017.00	373,210.20	373,210.20	0.00	325,121.59	2,674,878.41			
Smith, Craig	Delaware	65,920	10,000.00	10,000.00	6,000.00	60.00%	659,200.00	395,520.00	395,520.00		395,520.00	2,279,358.41			
		0,000													
Rehpletz	Tewksbury	0,000													
Copeland	Delaware	44,290													
		74,160													
Total Pending	11	621,008						2,720,641.59						2,720,641.59	
Total Encumbered									2,000,000.00		720,641.59				
Closed/Expended															
Total															2,279,358.41
Reprogram Out															

Schedule C

New Jersey Farmland Preservation  
Competative Ranking Report  
Farms Receiving Final Approval September 23, 2010  
Farms to Utilize Competitive Grant Monies

County	Municipality	Farm	Acres	Total Competative Rank Score	Density Ratio Points	Soils Ratio Points	Contiguous Points	Relative Best Buy Points
Monmouth County	Upper Freehold Twp.	Campusome, Inc. (R. Horzepa)	55	110	20	40	50	0
Hunterdon County	Delaware Twp.	Smith, Craig & Leslie	64	110	10	50	50	0
Hunterdon County	Union Twp.	Perryville Rd LLC (Roerig, Phillip)	61	70	0	30	40	0

7-11-09 ✓

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Smith Farm  
10- 0290-PG  
FY 2009 County PIG Program  
64 Acres

Block 21	Lot 3	Delaware Twp.	Hunterdon County
Block 21	Lot 3.03	Delaware Twp.	Hunterdon County
Block 21	Lot 12.03	Delaware Twp.	Hunterdon County

<b>SOILS:</b>	Other	5.74% *	0	=	.00
	Prime	1.34% *	.15	=	.20
	Statewide	92.92% *	.1	=	9.29

**SOIL SCORE: 9.49**

<b>TILLABLE SOILS:</b>	Cropland Harvested	39% *	.15	=	5.85
	Wetlands	8% *	0	=	.00
	Woodlands	53% *	0	=	.00

**TILLABLE SOILS SCORE: 5.85**

<b>FARM USE:</b>	Hay	47 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st six (6) acres for to sever tenant house  
Exception is severable  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit(s)
    - 2nd one (1) acres for surround existing dwelling  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(12)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**MONMOUTH COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Robert Horzepa ("Landowner")  
Campusome Farm  
Upper Freehold Township, Monmouth County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 13-0414-PG**

**September 23, 2010**

WHEREAS, December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Monmouth County, which included the Campusome Farm, identified as Block 16, Lot 13.01, Upper Freehold Township, Monmouth County, totaling approximately 55 net acres ("Property") as identified on the attached map (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of Monmouth County's PIG plan on May 28, 2009; and

WHEREAS, the Property is located in Monmouth County's Upper Freehold–Western Project Area; and

WHEREAS, on 9/14/09 the SADC received an individual application for the sale of a development easement from the County for the Campusome Farm; and

WHEREAS, the Property includes a 1-acre non-severable exception area for a future single family home, there are no existing non agricultural uses and there are zero (0) residences used for agricultural labor; and

WHEREAS, the Property has a rank score of 74.13 which exceeds 70% of the County's average quality score of 48, as determined by the SADC on July 24, 2008; and

WHEREAS, the Property had final subdivision approval for ten lots dated 8/28/07 with the stipulation that the approval was subject to imposing a conservation easement, along Doctor's Creek, totaling approximately 30 acres; and

WHEREAS, the CADB staff stated that these conservation easements had not been recorded; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on August 17, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) conditioned upon a New Jersey Department of Environmental Protection ("NJDEP") stream encroachment permit impacting the Property access being active at the time of closing; and



WHEREAS, subsequently, the August 17, 2009 approval was amended to allow the required NJDEP stream encroachment permit to be active only until the time of SADC certification of easement value, not closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 27, 2010 the SADC certified a development easement value of \$19,700 per acre based on zoning and environmental regulations in place as of 9/14/09; and

WHEREAS, Monmouth County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 56.650 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner offered to sell the development easement to the County for \$19,700 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Upper Freehold Township approved the application on 7/8/10 committing \$3,152 per acre, and the County Agriculture Development Board approved the application on 5/22/10 and the County Board of Chosen Freeholders approved the application on 7/08/10 with a commitment of providing the \$4,728 per acre needed to cover the entire local cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8 and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000.00 with the ability to obtain an additional competitive grant not to exceed \$3,000,000.00 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 the County is eligible to apply for an additional \$3,000,000.00 dollars of competitive grant funding for a maximum FY 2009 grant of \$5,000,000.00, subject to the availability of funds; and

WHEREAS, to date the County has utilized all of its base grant funding leaving \$1,769,802.20 potentially available in FY09 competitive funding (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14 (d)-(f) if there are insufficient funds available in a county's base grant the county may request additional funds from the competitive grant fund; and

WHEREAS, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund (Schedule C); and

WHEREAS, Monmouth County is requesting to encumber \$669,603 from its available competitive funds for the purchase of development easements on the Property;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Monmouth County for the purchase of a development easement on the Property comprising approximately 56.65 acres, at a State cost share of \$11,820 per acre (60% of certified market value) for a total grant of approximately \$669,603 pursuant to N.J.A.C. 2:76-6.11; and

BE IT FURTHER RESOLVED, the SADC grants final approval based on the conditions contained in Schedule D; and

BE IT FURTHER RESOLVED, that the CADB has been advised that if the conservation easement appears as an exception of title the SADC will not provide a cost share on that area; and

BE IT FURTHER RESOLVED, that based on the priority ranking of applications competing for competitive grant funds pursuant to N.J.A.C. 2:76-17.14 2(e), the subject Property qualifies for competitive grant funds; and

BE IT FURTHER RESOLVED, should the County require additional funds for the Property due to an increase in the final surveyed acreage the County may utilize unencumbered and available base grant funds to supplement the shortfall, however no additional SADC competitive grant funds above the \$669,603 are available for this Property; and

BE IT FURTHER RESOLVED, that any unused funds encumbered from the either the base or competitive grant at the time of final approval shall be returned its respective sources (base or competitive grant fund) after closing on the easement purchase; and

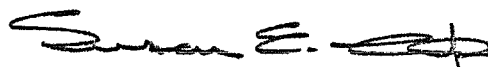
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES



Month	Number of People (in thousands)
January	1,000
February	950
March	850
April	750
May	650
June	550
July	450
August	350
September	400
October	450
November	500
December	550

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximated and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

**Sources:**  
 NUDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NUOT/OGIS 2007/2008 Digital/Aerial Image  
 September 22, 2009

# Schedule B

## Monmouth County New Jersey Farmland Preservation Program Preservation Program County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Farm	Municipality	App Pct Acres	Preserve Acres	Pay Acres	SAPC Per Acre	Negotiated & Approved Per Acre	SAPC Grant Per Acre	Actual Expend Consideration	SAPC Cost Share	SAPC Federal Grant	Encumbered at Final	PV Encumbered	Compulsory Grant Expend	Balance	Cap Total	Cum Expend	Cum Encumbered	Reprogram Out	Balance subject to availability at period end
Companella Family LP	Upper Freehold	104.000	96.7700	96.7700	26,000.00	26,000.00	15,800.00	2,516,020.00	1,509,912.00		1,950,000.00	1,509,912.00	1,509,912.00	443,167.00	2,556,133.00	3,250,197.00	669,603.00		1,100,199.20
Jovich, Walter	Upper Freehold	41.200	39.8270	39.8270	35,000.00	35,000.00	21,000.00	1,333,945.00	936,367.00		393,000.00	393,000.00	393,000.00	613,512.00	1,943,321.00				
Klein, Joseph & Revina	Upper Freehold	47.380	47.7020	47.3800	25,000.00	25,000.00	12,500.00	1,532,622.30	1,041,112.80		97,100.00	97,100.00	97,100.00	173,518.80	1,769,002.20				
Bandellino, Gerald J.	Pennington	56.650	56.7350	56.7350	19,200.00	19,200.00	11,820.00	1,116,005.00	669,603.00	867,594.00	669,603.00			1,100,199.20					
Compassion, Inc.	Upper Freehold																		
on hold appraisal issues:																			
HMF Associates	Holmdel	62.850																	
Windsor																			
Chauhan, Nalco	Upper Freehold	50.270																	
Total Pending Approval	1	70.040		114.110	4			1,892,022.30	1,041,112.80										
Shortfall																			
Total Encumbered											2,050,388.00	669,603.00	1,250,197.00		3,250,197.00	3,250,197.00	669,603.00		1,100,199.20
Over/Under		267.620						6,591,537.30	4,097,791.60		2,050,388.00	669,603.00							2,719,991.00
Total																			
Reprogram Out																			

New Jersey Farmland Preservation  
Competative Ranking Report  
Farms Receiving Final Approval September 23, 2010  
Farms to Utilize Competitive Grant Monies

County	Municipality	Farm	Acres	Total Competative Rank Score	Density Ratio Points	Soils Ratio Points	Contiguous Points	Relative Best Buy Points
Monmouth County	Upper Freehold Twp.	Campusome, Inc. (R. Horzepa)	55	110	20	40	50	0
Hunterdon County	Delaware Twp.	Smith, Craig & Leslie	64	110	10	50	50	0
Hunterdon County	Union Twp.	Perryville Rd LLC (Roerig, Phillip)	61	70	0	30	40	0

Schedu!

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Campusome (Horzempa & Cooper)  
13- 0414-PG  
FY 2009 County PIG Program  
55 Acres

Block 16                      Lot 13.01                      Upper Freehold Twp.                      Monmouth County

<b>SOILS:</b>	Other	26% *	0	=	.00
	Prime	40% *	.15	=	6.00
	Statewide	34% *	.1	=	3.40

**SOIL SCORE:                      9.40**

<b>TILLABLE SOILS:</b>	Cropland Harvested	51% *	.15	=	7.65
	Other	7% *	0	=	.00
	Wetlands	36% *	0	=	.00
	Woodlands	6% *	0	=	.00

**TILLABLE SOILS SCORE:                      7.65**

**FARM USE:**                      Corn-Cash Grain                      28 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st one (1) acres for future dwelling
    - Exception is not to be severed from Premises
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions:

This Certification was conditioned upon the applicant providing written verification that the NJDEP stream encroachment permit has been extended to December 31, 2012. This condition was satisfied.

If it is found that the conservation easement associated with the subdivision approvals has been recorded, or is found to be an exception to title, the SADC may exclude the area that would be encumbered with the conservation easement from payment.

- e. Dwelling Units on Premises:

No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R9(13)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SUSSEX COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of  
James Chirip Farm  
Green Township, Sussex County

N.J.A.C. 2:76-17 et seq.  
SADC ID# 19-0010-PG

September 23, 2010

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Sussex County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of the FY2010 plan on November 5, 2009; and

WHEREAS, on September 3, 2009 the SADC received an application for the sale of a development easement from Sussex County for the Chirip Farm, hereinafter referred to as "Owner" identified as Block 19, Lot 1908, Green Township, Sussex County, totaling approximately 18.008 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Sussex County's Western Highlands 1 Project area; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) residences used for agricultural labor and no pre-existing non-agricultural uses; and

WHEREAS, there is one, two acre non-severable exception for one (1) future single family residence; and

WHEREAS, the Property has a rank score of 43.2 which exceeds 70% of the County's average quality score of 35, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 22, 2008 the Sussex CADB passed a resolution granting final approval to the Chirip farm at a per acre price of \$ 7,850 with the intent of pursuing an SADC cost share reimbursement; and

WHEREAS, on January 30, 2008 the Sussex County Board of Chosen Freeholders granted final approval for the purchase of the development easement on the Chirip farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 19, 2008 the Green Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and



WHEREAS, Sussex County purchased the easement on the Premises totaling 18.008 acres on May 7, 2009 for \$141,362.80 (\$7,850 per acre on 18.008 acres which is less than the highest certified easement value of \$9,400 per acre and higher than the SADC's certified easement value of \$5,900 per acre) and recorded in the Sussex County Clerk's office on 5/11/09 in Deed Book 3224, Page 853; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 16, 2009 the it was determined by the SADC that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 28, 2010 the SADC certified a development easement value of \$5,900 based on zoning and environmental regulations in place as of the date of valuation 8/1/07; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and the ranking and submitted the ranking to the SADC on July 19, 2010 to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14 and;

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, to date Sussex County has requested and the SADC has encumbered \$326,511.00 in base grant funding for the Peck farm, leaving a cumulative balance of \$1,673,489; and

WHEREAS, the Sussex County Agriculture Development Board is requesting \$69,330.80 from the \$2,000,000 base grant, leaving a cumulative balance of \$1,604,158.20 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 Sussex County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for other projects; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire amount will be encumbered from Sussex County's base grant; and

WHEREAS, since the County has already closed on this Property it is not requesting an additional 3% buffer for possible final surveyed acreage increases and will use 18.008 for calculation purposes;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 18.008, at a State cost share of \$3,850 per acre (65.25% of certified market value) for a total grant of approximately \$69,330.80, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C"; and

BE IT FURTHER RESOLVED, that the SADC grant will consist of \$69,330.80 from the base grant fund only; and

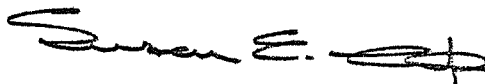
BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10  
Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	RECUSED
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

Schedule A

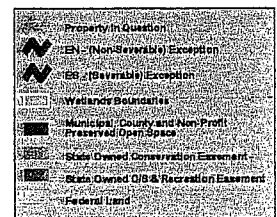
Application within the Highlands Planning Area

x:\counties\susco\projects\chirp\09fww.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

James Chirip  
Block 19 Lots P/O 20 (19.7 ac) & P/O 20-EN (non-severable exception - 2.0 ac)  
Gross Total = 21.7 ac  
Green Twp., Sussex County



250 125 0 250 500 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
S - 300' Buffer  
W - Water

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOTISGIS 2007/2008 Digital Aerial Image

October 5, 2009

## Schedule B

## Schedule B

**New Jersey Farmland Preservation Program  
Preservation Program  
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.**

	AS	7rulescounty2009cnytypifinancialstatus.xlsussex	SyplamIngrincer
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State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Chirip Farm  
19- 0010-PG  
FY 2009 County PIG Program  
18 Acres

Block 19	Lot 20	Green Twp.	Sussex County
<b>SOILS:</b>		Other	38% * 0 = .00
		Prime	62% * .15 = 9.30
			<b>SOIL SCORE: 9.30</b>
<b>TILLABLE SOILS:</b>		Cropland Pastured	11% * .15 = 1.65
		Cropland Harvested	51% * .15 = 7.65
		Wetlands	29% * 0 = .00
		Woodlands	9% * 0 = .00
			<b>TILLABLE SOILS SCORE: 9.30</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain		16 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Execution of a Grant Agreement between the County and the State Agriculture Development Committee in compliance with N.J.A.C. 2:76-6.18.
5. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
 

1st two (2) acres for single family housing opportunity  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(14)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**SUSSEX COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Hautau #2 Farm  
Frankford Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 19-0002-PG**

**September 23, 2010**

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Sussex County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of the FY2010 plan on November 5, 2009; and

WHEREAS, on 10/15/09 the SADC received an application for the sale of a development easement from Sussex County for the Hautau #2 Farm hereinafter referred to as "Owner" identified as Block 25, Lot 15.02 and Block 28, Lot 1.04, Frankford Township, Sussex County, totaling approximately 36.634 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A-1); and

WHEREAS, the Property is located in Sussex County's Central Kittany Valley Project area; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) residences used for agricultural labor; and

WHEREAS, there is a pre-existing non-agricultural use which consists of hardscape materials ( stone, gravel, soil, compost, fill, mulch, concrete products and building materials) along with softscape materials (plant materials, sod and straw) used to support the existing landscape company, totaling approximately 1.3 acres, and identified by the hatched area in (Schedule A-2); and

WHEREAS, the Owners were advised of the option of taking an exception around the non-agricultural use rather than noting the non-agricultural use in the Deed of Easement; and

WHEREAS, the Owners were further advised of the various restrictions associated with describing the non-agricultural use in the Deed of Easement, but declined to elect an exception; and

WHEREAS, there is one, 1-acre non-severable exception for one (1) future single family residence; and

WHEREAS, the Property has a rank score of 54.58 which exceeds 70% of the County's average quality score of 33, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 22, 2008 the Sussex CADB passed a resolution granting final approval to the Hautau #2 farm at a per acre price of \$10,200 with the intent of pursuing an SADC cost share reimbursement; and

WHEREAS, on January 30, 2008 the Sussex County Board of Chosen Freeholders granted final approval for the purchase of the development easement on the Hautau #2 farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, August 17, 2010 the Frankford Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, Sussex County purchased the easement on the Premises of 36.634 acres on September 14, 2009 for \$373,666.80 (\$10,200 per acre on 36.634 acres which is less than the highest certified easement value of \$10,400 per acre and more than the certified value of \$9,900) and recorded in the Sussex County Clerk's office on 9/21/09 in Deed Book 3234, Page 28; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on January 10, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 28, 2010 the SADC certified a development easement value of \$9,900 per acre based on zoning and environmental regulations in place as of 8/1/07; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and the ranking and submitted the ranking to the SADC on July 19, 2010 to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, to date Sussex County has requested and the SADC has encumbered \$395,841.80 in base grant funding for the Peck and Chirip's farm, leaving a cumulative balance of \$1,604,158.20; and

WHEREAS, the Sussex County Agriculture Development Board is requesting \$217,605.96 from the \$2,000,000 base grant, leaving a cumulative balance of \$1,386,552.24 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 Sussex County is eligible to apply for an additional \$3,000,000 dollars of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for other projects; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire amount will be encumbered from Sussex County's base grant; and



WHEREAS, since the County has already closed on this Property it is not requesting an additional 3% buffer for possible final surveyed acreage increases and will use 36.634 for calculation purposes;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 36.634 acres, at a State cost share of \$5,940 per acre (60% of certified market value) for a total grant of approximately \$217,605.96, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C"; and

BE IT FURTHER RESOLVED, that the SADC grant will consist of \$217,605.96 from the base grant fund only; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

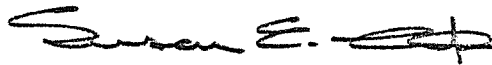
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9/23/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

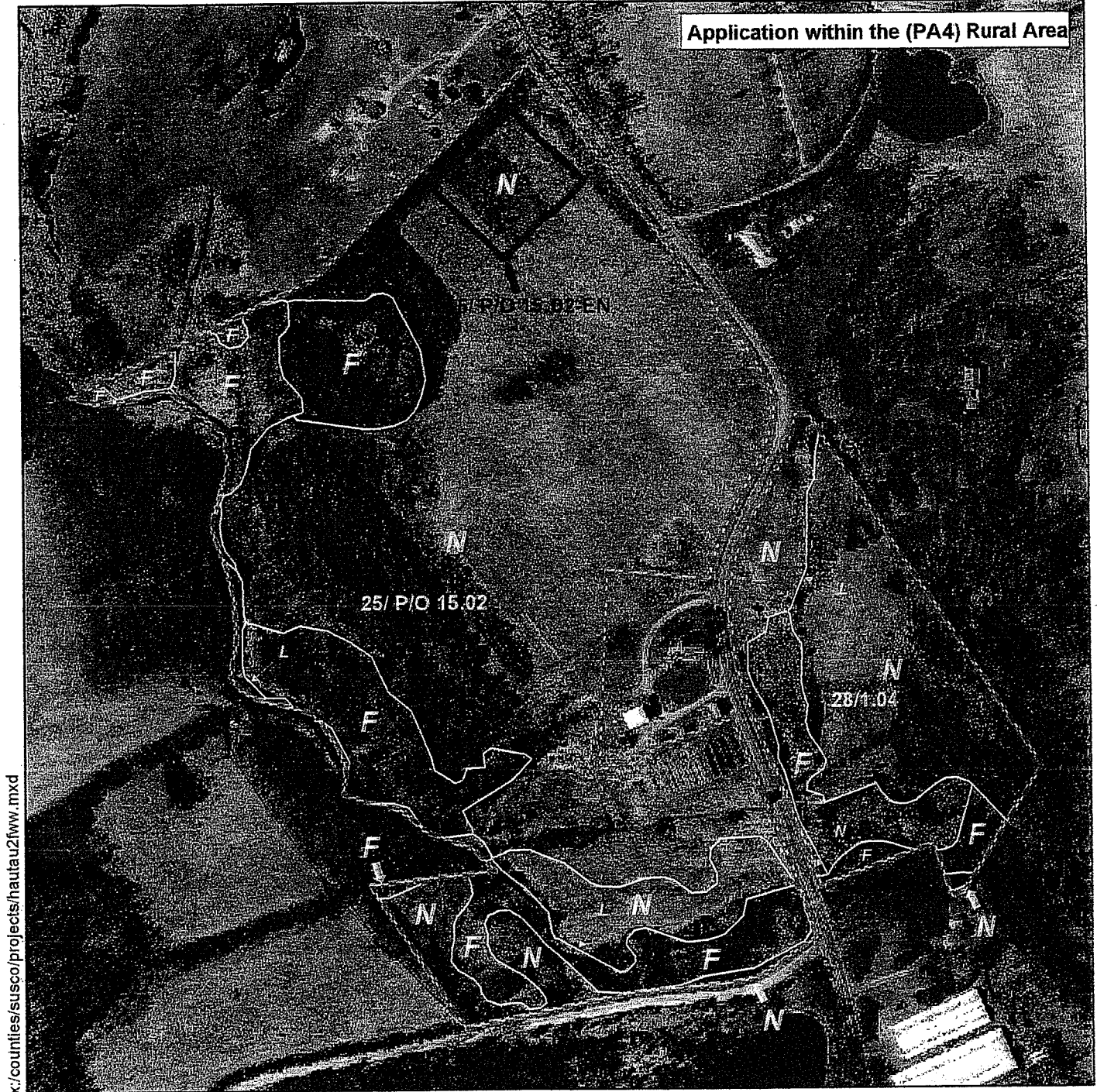
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	RECUSED
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Wetlands

Schedule A-1

Application within the (PA4) Rural Area



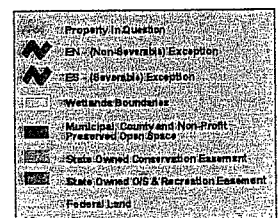
x:\counties\susco\projects\hautau2\fw.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Brian and Elizabeth Hautau (# 2)  
Block 25 Lots P/O 15.02 (30.1 ac)  
& P/O 15.02-EN (non-severable exception - 1.0 ac)  
& Block 28 Lot 1.04 (7.4 ac)  
Total = 38.5 ac  
Frankford Twp., Sussex County

250 125 0 250 500 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOTISGIS 2007/2008 Digital Aerial Image

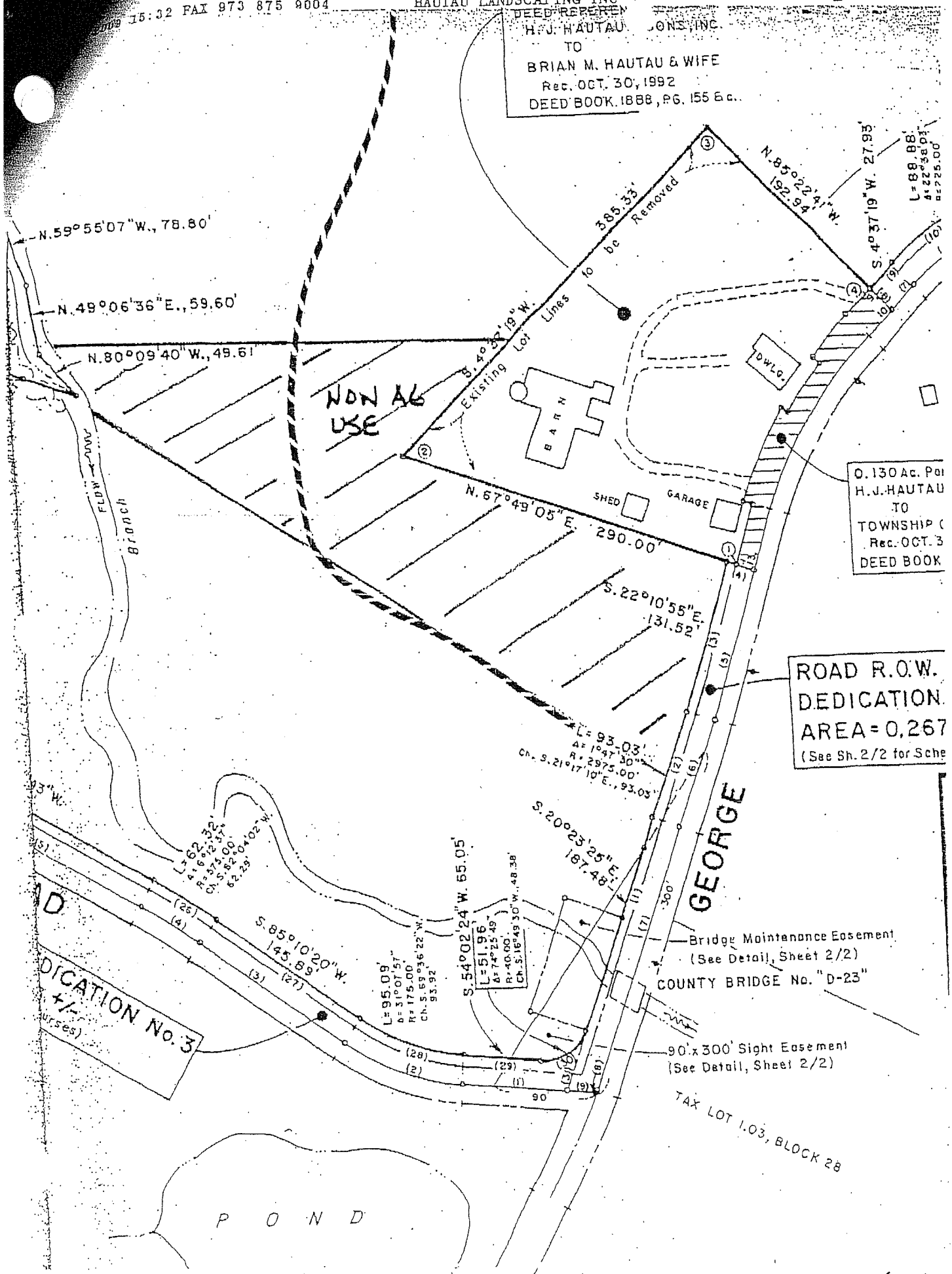
March 4, 2009

15:32 FAX 973 875 9004

HAUTAU LANDSCAPING INC

002

DEED REFERENCE  
H. J. HAUTAU, JR. & SONS, INC.  
TO  
BRIAN M. HAUTAU & WIFE  
Rec. OCT. 30, 1992  
DEED BOOK 1888, PG. 155 & c.



O.130 Ac. Pat  
H. J. HAUTAU  
TO  
TOWNSHIP C  
Rec. OCT. 3  
DEED BOOK

ROAD R.O.W.  
DEDICATION  
AREA = 0.267  
(See Sh. 2/2 for Sche

DEDICATION No. 3  
(Curves)

GEORGE

Bridge Maintenance Easement  
(See Detail, Sheet 2/2)  
COUNTY BRIDGE No. "D-23"

90' x 300' Sight Easement  
(See Detail, Sheet 2/2)

TAX LOT 1.03, BLOCK 28

P O N D

621



New Jersey Farm/ Preservation Program  
Preservation Program  
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Sussex County

Farm	2,000,000				3,000,000				Cap		Cum		Cum		Balance subject to availability & approval 4,386,552.24
	Encumbered at Final	PV Encumbered	Expend	Balance	Encumbered at Final	PV Encumbered	Expend	Balance	Total	Total	Expend	Encumbered	Expend	Encumbered	
Peck, Harold & Sallie	326,511.00			1,673,489.00											
Sussex Co/Chirip	69,330.80			1,604,158.20											
H.J. Hautau & Sons Inc 2	217,605.96			1,386,552.24					5,000,000.00		0.00	613,447.76			
	437,688.68														
	229,658.00														
	192,218.40														
Washer, Richard & Frances															
Gail & Ramiro Bertol															
Turr, Lynn & Bontia															
Hautau #1															
Hautau #3															
Decker, William															
<b>Total Pending</b>	<b>1,473,012.84</b>														
<b>Total Encumbered</b>	<b>613,447.76</b>											<b>613,447.76</b>			
<b>Closed/Expended</b>											<b>0.00</b>				
<b>Total</b>															
<b>Reprogram Out</b>															

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Hautau Farm #2  
19- 0002-PG  
FY 2010 County PIG Program  
37 Acres

Block 25	Lot 15.02	Frankford Twp.	Sussex County
Block 28	Lot 1.04	Frankford Twp.	Sussex County
<b>SOILS:</b>		Other	37% * 0 = .00
		Prime	63% * .15 = 9.45
			<b>SOIL SCORE: 9.45</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	51% * .15 = 7.65
		Wetlands	27% * 0 = .00
		Woodlands	22% * 0 = .00
			<b>TILLABLE SOILS SCORE: 7.65</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain		12 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:  
storage of materials to support the existing landscape company including stone, gravel, soil, compost, fill, mulch, concrete products, building materials, plant materials, sod, straw
  - b. Exceptions:  
1st one (1) acres for housing opportunity  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R(15)**

**Final Approval and Authorization to Execute Closing Documents  
Authorization to Contract for Professional Services  
SADC Easement Purchase**

**On the Property of  
Josephine Bonaccurso**

**September 23, 2010**

Subject Property:     Bonaccurso Farm  
                          SADC Easement Purchase Application  
                          Block 3, Lots 36 & 37  
                          Block 10, Lots 10 & 13  
                          Quinton Twp., Salem County  
                          Approximately 112 Net Acres  
                          SADC ID #: 17-0177-DE

WHEREAS, on October 31, 2006 the State Agriculture Development Committee (SADC) received a development easement sale application from Josephine Bonaccurso ("Applicant"), identified as Block 3, Lots 36 & 37; Block 10, Lots 10 & 13, Quinton Twp., Salem County ("Property"), totaling approximately 112 net acres identified in Schedule A; and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development rights directly from landowners; and

WHEREAS, staff evaluated this application for the sale of development easements directly to the SADC pursuant to Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and N.J.A.C. 2:76-11.5, and State Acquisition Selection Criteria approved by the SADC on July 24, 2008 which prioritizes applications into "Priority", "Alternate" and "Other" farms; and

WHEREAS, the Property has a quality score of 70.77 which exceeds the Priority Quality score for Salem County of 64, and the Property's 112 acres exceeds the Priority acreage for Salem County of 95 acres, and therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property is devoted to field crops, has approximately 45 percent prime soils and 55 percent statewide soils and is 80 percent cropland harvested as identified on Schedule B; and

WHEREAS, the Property has a 3-acre severable exception area containing a slaughter house operation and this exception area will be restricted to non-residential use; and

WHEREAS, the Property has an approximate ¼ -acre nonseverable exception area surrounding a cell tower which cannot be severed from the preserved farm and will be restricted to non-residential use; and

WHEREAS, one Residual Dwelling Site Opportunity (RDSO) will be allocated to the Property;  
and

WHEREAS, on May 27, 2010 the SADC certified the development easement value of the  
Property at \$4,000.00 per acre based on zoning and environmental conditions as of 1/1/04  
and current zoning and environmental conditions as of June 30, 2009, and made an offer  
based on this certified value; and

WHEREAS, on August 31, 2010 the Owner accepted the SADC's offer to purchase the  
development easement for \$4,000.00 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized  
that various professional services will be including but not limited to contracts, survey,  
title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement  
will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Bonaccorso  
farm application for the direct acquisition of the development easement at a value of  
\$4,000 per acre for approximately \$448,000 based on 112 acres subject to the conditions  
contained in Schedule B; and

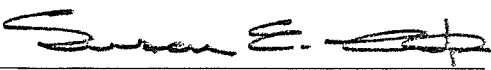
BE IT FURTHER RESOLVED, the SADC's cost share shall be based on the final surveyed  
acreage of the Property adjusted for proposed road rights-of-way, other rights-of-way or  
easements as determined by the SADC, and streams or water bodies on the boundaries of  
the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject  
to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Douglas Fisher Secretary of Agriculture  
as Chairperson of the SADC or Executive Director Susan E. Craft, to execute an  
Agreement to Sell Development Easement and all necessary documents to contract for  
the professional services necessary to acquire said development easement, including but  
not limited to a survey and title search and to execute all necessary documents required to  
acquire the development easement on this property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's  
review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

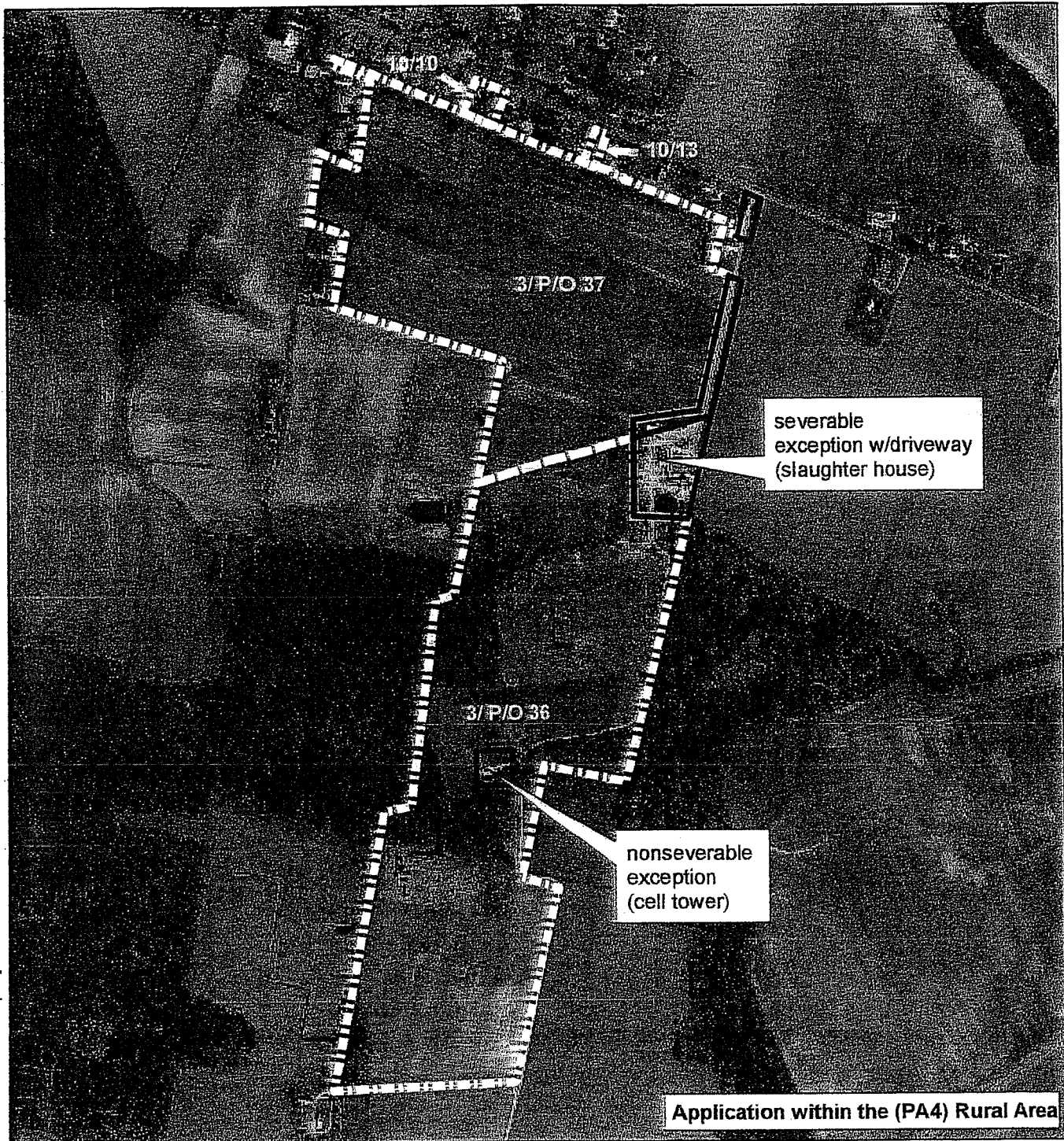


VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

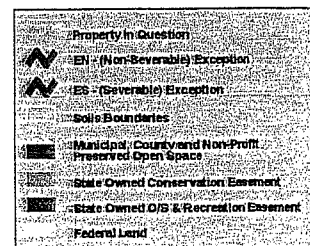
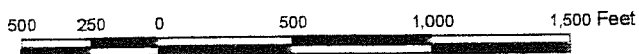
# Schedule A

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Josephine Bonacuriso  
Block 3 Lots P/O 36 (59.7 ac) & P/O 36-ES (severable exception - 2.9 ac)  
P/O 37 (49.0 ac) & P/O 37-ES (severable exception - 0.4 & 1.5 ac)  
Block 10 Lots 10 (0.6 ac) and 13 (0.2 ac)  
Gross Total = 114.2 ac  
Quinton Twp., Salem County



**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

**Sources:**  
NRCS - SSURGO 2008 Soil Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

June 11, 2009

SCAT-10 0

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Bonaccurso Farm (Salem Packing Co.)  
2006A  
SADC Direct Easement Purchase  
112 Acres

Block 3	Lot 37	Quinton Twp.	Salem County
Block 3	Lot 36	Quinton Twp.	Salem County
Block 10	Lot 10	Quinton Twp.	Salem County
Block 10	Lot 13	Quinton Twp.	Salem County

SOILS:	Prime	45% *	.15	=	6.75
	Statewide	55% *	.1	=	5.50

SOIL SCORE: 12.25

TILLABLE SOILS:	Cropland Harvested	80% *	.15	=	12.00
	Woodlands	20% *	0	=	.00

TILLABLE SOILS SCORE: 12.00

FARM USE:	Field Crop Except Cash Grain	72 acres
-----------	------------------------------	----------

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 1 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st three (3) acres for future flexibility in use  
Exception is severable  
Right to Farm language is to be included in Deed
    - 2nd (.25) acres for pre-existing cell tower  
Exception is not to be severable from Premises
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R9(16)**

**Preliminary Approval  
New Jersey Conservation Foundation – Lovero Farm  
2006 Non Profit Round**

**September 23, 2010**

Nonprofit Easement Grant Program:

Subject Property: New Jersey Conservation Foundation/Lovero  
Block 62, Lot 26.041 Hopewell Township  
Mercer County  
73 Acres

WHEREAS, on February 4, 2005 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Sourlands Project Area, Hunterdon, Mercer and Somerset Counties; and

WHEREAS, on April 28, 2005 the SADC granted preliminary approval to the application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Sourlands Project Area; and

WHEREAS, on August 12, 2010 NJCF submitted the Lovero farm (see Schedule A) as a nonprofit easement acquisition within the Sourlands Project Area; and

WHEREAS, the farm consists of 77 percent prime soils and 14 percent statewide soils and is 62 percent tillable; and

WHEREAS, the landowner is requesting a 3.5 acre nonseverable exception around an existing single family residence; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm’s quality score is 70.49 (see Schedule B); and

WHEREAS, the Lovero farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property was included on NJCF’s Federal United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program Grant application as a targeted farm and NJCF has requested USDA, NRCS to utilize this funding to cover a portion of the NJCF matching funding; and

WHEREAS, consistent with the goals and objectives of the Federal Farm & Ranch Lands Protection Program there will be an approximate two percent impervious coverage

limitation on the farm equal to approximately 1.5 acres available for agriculture infrastructure;

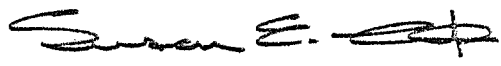
NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the New Jersey Conservation Foundation-Lovero easement acquisition application within the Sourlands Project Area subject to compliance with N.J.A.C. 2:76-16 et seq.; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible, for the preservation of the Lovero farm, which will include an impervious coverage limitation of approximately two percent and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED that if NJCF pursues the preservation of the Lovero farm, that it will conduct a pre-appraisal meeting with the SADC to establish the parameters of the appraisals to be conducted; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Lovero Farm

Schedule A

Application within the (PA4) Rural Area

62/P/O 26.041

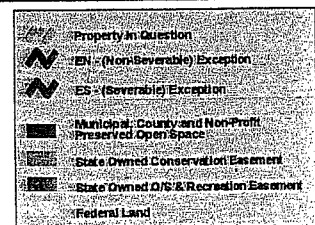
Lot 26.031  
Not In  
Program

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Frank Lovero/NJCF  
Block 62 Lots P/O 26.041 (72.9 ac)  
& P/O 26.041-EN (non-severable exception - 3.5 ac)  
Gross Total = 76.4 ac  
Hopewell Twp., Mercer County

500 250 0 500 1,000 Feet



**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Sources:**  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2007/2008 Digital Aerial Image

September 14, 2010

State of New Jersey  
 State Agriculture Development Committee  
 Farmland Preservation Program  
 Quality Ranking Score  
 Not applicable Easement Purchase - Nonprofit Funding Round  
 September 15, 2010

**GENERAL INFORMATION**

COUNTY OF Mercer Hopewell Twp. 1106  
 APPLICANT NJCF/Lovero

**Blocks and Lots**

Hopewell Twp. 1106 Block 62 Lot 26.041 76 ACRES

**Exceptions**

<u>Acres</u>	<u>Reason</u>	<u>Justification</u>	<u>Restrictions</u>	<u>Negative Impact</u>	<u>SADC Impact</u>	<u>Total Score</u>
3.5	existing home				0	0

Location: No Lot Association to Exception -  
 The Exception will be restricted to one single family residential unit.  
 The Exception is Nonseverable.

**NET ACRES** 73

**USGS Grid Map Description:****HOUSING, BUILDINGS AND OTHER STRUCTURES**

<u>Structure</u>	<u>Ag Use</u>	<u>Leased</u>	<u>Notes</u>
Barn	N	N	
Garage	N	N	

**RDSO's**

ELIGIBLE 0

SADC APPROVED

**TYPE OF AGRICULTURAL OPERATION**

Soybeans-Cash Grain

**SUBDIVISION OF THE PREMISES**

<u>Status</u>	<u>Preliminary</u>	<u>Final Approval</u>	<u>Scale</u>	<u>Notes</u>
No Value Selected				

**PRE-EXISTING NON-AG USES ON PREMISE**

<u>Type</u>	<u>Extent</u>	<u>Size</u>	<u>Ag Use</u>
business equipment in pole barn			Yes

<u>Lessee</u>	<u>Business</u>	<u>Purpose</u>	<u>Frequency</u>

**EASEMENTS AND RIGHT OF WAYS**

<u>Type</u>	<u>Description</u>	<u>Dsc Notes</u>
No Easements on Premise		

<u>Affect</u>	<u>Viability</u>

Additional Concerns:

State of New Jersey  
State Agriculture Development Committee  
Farmland Preservation Program  
Quality Ranking Score

**GENERAL INFORMATION**

COUNTY OF Mercer Hopewell Twp. 1106  
APPLICANT NJCF/Lovero

**PRIORITIZATION SCORE**

SOILS:	Other	9.74% *	0	=	.00
	Prime	76.69% *	.15	=	11.50
	Statewide	13.56% *	.1	=	1.36

SOIL SCORE: 12.86

TILLABLE SOILS:	Cropland Harvested	62% *	.15	=	9.30
	Woodlands	38% *	0	=	.00

TILLABLE SOILS SCORE: 9.30

BOUNDARIES AND BUFFERS:	Deed Restricted Farmland (Permanent)	27% *	.2	=	5.40
	Parks (limited use)	2% *	.14	=	.28
	Woodlands	9% *	.06	=	.54
	Farmland (Unrestricted)	62% *	.06	=	3.72

BOUNDARIES AND BUFFERS SCORE: 9.94

CONTIGUOUS PROPERTIES / DENSITY:	subject	Restricted Farm or Current Application	2
	Foster	Restricted Farm or Current Application	2
	Ferrette	Restricted Farm or Current Application	2
	Fedor	Restricted Farm or Current Application	2
	Patricelli	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	20	=	20.00
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LOCAL COMMITMENT SCORE: 20.00

SIZE:	SIZE SCORE:	4.45
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IMMIMENCE OF CHANGE: SADC Impact factor = 3.94

IMMINENCE OF CHANGE SCORE: 3.94

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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TOTAL SCORE: 70.49



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R9(17)**

**Preliminary Approval  
New Jersey Conservation Foundation – Senti LLC Farm  
2006 Non Profit Round**

**September 23, 2010**

Nonprofit Easement Grant Program:

Subject Property:     New Jersey Conservation Foundation/Senti LLC  
                              Block 48, Lot 2 Hopewell Township  
                              Mercer County  
                              16.5 Acres

WHEREAS, on February 4, 2005 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Sourlands Project Area, Hunterdon, Mercer and Somerset Counties; and

WHEREAS, on April 28, 2005 the SADC granted preliminary approval to the application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Sourlands Project Area; and

WHEREAS, on August 12, 2010 NJCF submitted the Senti LLC farm (see Schedule A) as a nonprofit easement acquisition within the Sourlands Project Area; and

WHEREAS, the farm consists of 20 percent prime soils and 67 percent statewide soils and is 68 percent tillable; and

WHEREAS, there is an existing single family house on the farm; and

WHEREAS, landowner has stated that the preservation of this farm is contingent upon the preservation of an adjacent farm owned by Hopewell Valley Enterprises, Block 48, Lot 3.02; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm’s quality score is 52.28 (see Schedule B); and

WHEREAS, the Senti LLC farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property was included on NJCF’s Federal United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program Grant application as a targeted farm and NJCF has requested USDA, NRCS to utilize this funding to cover a portion of the NJCF matching funding; and

WHEREAS, consistent with the goals and objectives of the Federal Farm & Ranch Lands Protection Program there will be a one acre impervious coverage limitation on the farm for agriculture infrastructure;

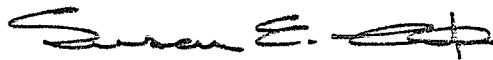
NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the New Jersey Conservation Foundation-Senti LLC easement acquisition application within the Sourlands Project Area subject to compliance with N.J.A.C. 2:76-16 et seq. with the condition that the preservation of this farm is contingent on the preservation of the adjacent Hopewell Valley Enterprises farm identified as Block 48, Lot 3.02; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible, for the preservation of the Senti LLC farm, which will include a one acre impervious coverage limitation and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED that if NJCF pursues the preservation of the Senti LLC farm, that it will conduct a pre-appraisal meeting with the SADC to establish the parameters of the appraisals to be conducted; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Senti LLC/NJCF  
Block 48 Lot 2 (16.5 ac)  
Gross Total = 16.5 ac  
Hopewell Twp., Mercer County



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

August 18, 2010

State of New Jersey  
State Agriculture Development Committee  
Farmland Preservation Program  
Quality Ranking Score  
No Value Selected Easement Purchase - Nonprofit Funding Round  
August 27, 2010

**Schedule B**

GENERAL INFORMATION

COUNTY OF Mercer Hopewell Twp. 1106  
APPLICANT NJCF/Senti LLC

Blocks and Lots

Hopewell Twp. 1106 Block 48 Lot 2 16.5 ACRES

NET ACRES 17

USGS Grid Map Description:

HOUSING, BUILDINGS AND OTHER STRUCTURES

<u>Structure</u>	<u>Ag Use</u>	<u>Leased</u>	<u>Notes</u>
Standard Single Family	N	N	

RDSO's

ELIGIBLE 0  
SADC APPROVED

TYPE OF AGRICULTURAL OPERATION

Grape

SUBDIVISION OF THE PREMISES

<u>Status</u>	<u>Preliminary</u>	<u>Final Approval</u>	<u>Scale</u>	<u>Notes</u>
No Value Selected				

PRE-EXISTING NON-AG USES ON PREMISE

<u>Type</u>	<u>Extent</u>	<u>Size</u>	<u>Ag Use</u>
No Pre-Existing Uses Considered.			None
<u>Lessee</u>	<u>Business</u>	<u>Purpose</u>	<u>Frequency</u>

EASEMENTS AND RIGHT OF WAYS

<u>Type</u>	<u>Description</u>	<u>Dsc Notes</u>
No Easements on Premise		
<u>Affect</u>	<u>Viability</u>	

Additional Concerns:

State of New Jersey  
State Agriculture Development Committee  
Farmland Preservation Program  
Quality Ranking Score

**GENERAL INFORMATION**

COUNTY OF Mercer Hopewell Twp. 1106  
APPLICANT NJCF/Senti LLC

**PRIORITIZATION SCORE**

SOILS:	Local	12.95% *	.05	=	.65	
	Prime	20.01% *	.15	=	3.00	
	Statewide	67.04% *	.1	=	6.70	
						SOIL SCORE: 10.35
TILLABLE SOILS:	Cropland Harvested	47% *	.15	=	7.05	
	Other	8% *	0	=	.00	
	Permanent Pasture	21% *	.02	=	.42	
	Woodlands	24% *	0	=	.00	
						TILLABLE SOILS SCORE: 7.47
BOUNDARIES	EP Applications	26% *	.13	=	3.38	
AND BUFFERS:	Residential Development	39% *	0	=	.00	
	Farmland (Unrestricted)	35% *	.06	=	2.10	
						BOUNDARIES AND BUFFERS SCORE: 5.48
CONTIGUOUS	subject	Restricted Farm or Current Application			2	
PROPERTIES		No Points			0	
/ DENSITY:	Hopewell Valley Enter.	Restricted Farm or Current Application			2	
						DENSITY SCORE: 4.00
LOCAL COMMITMENT:		100% *	20	=	20.00	
						LOCAL COMMITMENT SCORE: 20.00
SIZE:						SIZE SCORE: 1.04
IMMIMENCE OF CHANGE:	SADC Impact factor =	3.94				
						IMMINENCE OF CHANGE SCORE: 3.94
COUNTY RANKING:						
EXCEPTIONS:						EXCEPTION SCORE: .00

**TOTAL SCORE: 52.28**

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(18)**

**Preliminary Approval  
New Jersey Conservation Foundation – Hopewell Valley Enterprises Farm  
2006 Non Profit Round**

**September 23, 2010**

Nonprofit Easement Grant Program:

Subject Property: New Jersey Conservation Foundation/Hopewell Valley Enterprises  
Block 48, Lot 3.02 Hopewell Township  
Mercer County  
56 Acres

WHEREAS, on February 4, 2005 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Sourlands Project Area, Hunterdon, Mercer and Somerset Counties; and

WHEREAS, on April 28, 2005 the SADC granted preliminary approval to the application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Sourlands Project Area; and

WHEREAS, on August 12, 2010 NJCF submitted the Hopewell Valley Enterprises farm (see Schedule A) as a nonprofit easement acquisition within the Sourlands Project Area; and

WHEREAS, the farm consists of 49 percent prime soils and 35 percent statewide soils and is 76 percent tillable; and

WHEREAS, the landowner is requesting a 3.5 acre nonseverable exception around an existing winery building which will be limited to no residential use and a one acre nonseverable exception for a future single family dwelling; and

WHEREAS, the landowner has stated that the preservation of this farm is contingent upon the preservation of an adjacent farm owned by Senti LLC, Block 48, Lot 2; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm’s quality score is 59.66 (see Schedule B); and

WHEREAS, the Hopewell Valley Enterprises farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property was included on NJCF’s Federal United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program Grant application as a targeted farm and NJCF has requested USDA, NRCS to utilize this funding to cover a portion of the NJCF matching funding; and

WHEREAS, consistent with the goals and objectives of the Federal Farm & Ranch Lands Protection Program there will be a two percent impervious coverage limitation on the farm for agriculture infrastructure;


NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the New Jersey Conservation Foundation-Hopewell Valley Enterprises easement acquisition application within the Sourlands Project Area subject to compliance with N.J.A.C. 2:76-16 et seq. with the condition that the preservation of this farm is contingent on the preservation of the adjacent Senti LLC farm identified as Block 48, Lot 2; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible, for the preservation of the Hopewell Valley Enterprises farm, which will include a two percent impervious coverage limitation and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED that if NJCF pursues the preservation of the Hopewell Valley Enterprises farm, that it will conduct a pre-appraisal meeting with the SADC to establish the parameters of the appraisals to be conducted; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(18)**

**Preliminary Approval  
New Jersey Conservation Foundation – Hopewell Valley Enterprises Farm  
2006 Non Profit Round**

**September 23, 2010**

Nonprofit Easement Grant Program:

Subject Property:     New Jersey Conservation Foundation/Hopewell Valley Enterprises  
                              Block 48, Lot 3.02 Hopewell Township  
                              Mercer County  
                              56 Acres

WHEREAS, on February 4, 2005 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Sourlands Project Area, Hunterdon, Mercer and Somerset Counties; and

WHEREAS, on April 28, 2005 the SADC granted preliminary approval to the application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Sourlands Project Area; and

WHEREAS, on August 12, 2010 NJCF submitted the Hopewell Valley Enterprises farm (see Schedule A) as a nonprofit easement acquisition within the Sourlands Project Area; and

WHEREAS, the farm consists of 49 percent prime soils and 35 percent statewide soils and is 76 percent tillable; and

WHEREAS, the landowner is requesting a 3.5 acre nonseverable exception around an existing winery building which will be limited to no residential use and a one acre nonseverable exception for a future single family dwelling; and

WHEREAS, the landowner has stated that the preservation of this farm is contingent upon the preservation of an adjacent farm owned by Senti LLC, Block 48, Lot 2; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm’s quality score is 59.66 (see Schedule B); and

WHEREAS, the Hopewell Valley Enterprises farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property was included on NJCF’s Federal United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program Grant application as a targeted farm and NJCF has requested USDA, NRCS to utilize this funding to cover a portion of the NJCF matching funding; and



WHEREAS, consistent with the goals and objectives of the Federal Farm & Ranch Lands Protection Program there will be a two percent impervious coverage limitation on the farm for agriculture infrastructure;

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the New Jersey Conservation Foundation-Hopewell Valley Enterprises easement acquisition application within the Sourlands Project Area subject to compliance with N.J.A.C. 2:76-16 et seq. with the condition that the preservation of this farm is contingent on the preservation of the adjacent Senti LLC farm identified as Block 48, Lot 2; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF's Federal Farm and Ranch Land Protection Program funds to the fullest extent possible, for the preservation of the Hopewell Valley Enterprises farm, which will include a two percent impervious coverage limitation and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED that if NJCF pursues the preservation of the Hopewell Valley Enterprises farm, that it will conduct a pre-appraisal meeting with the SADC to establish the parameters of the appraisals to be conducted; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

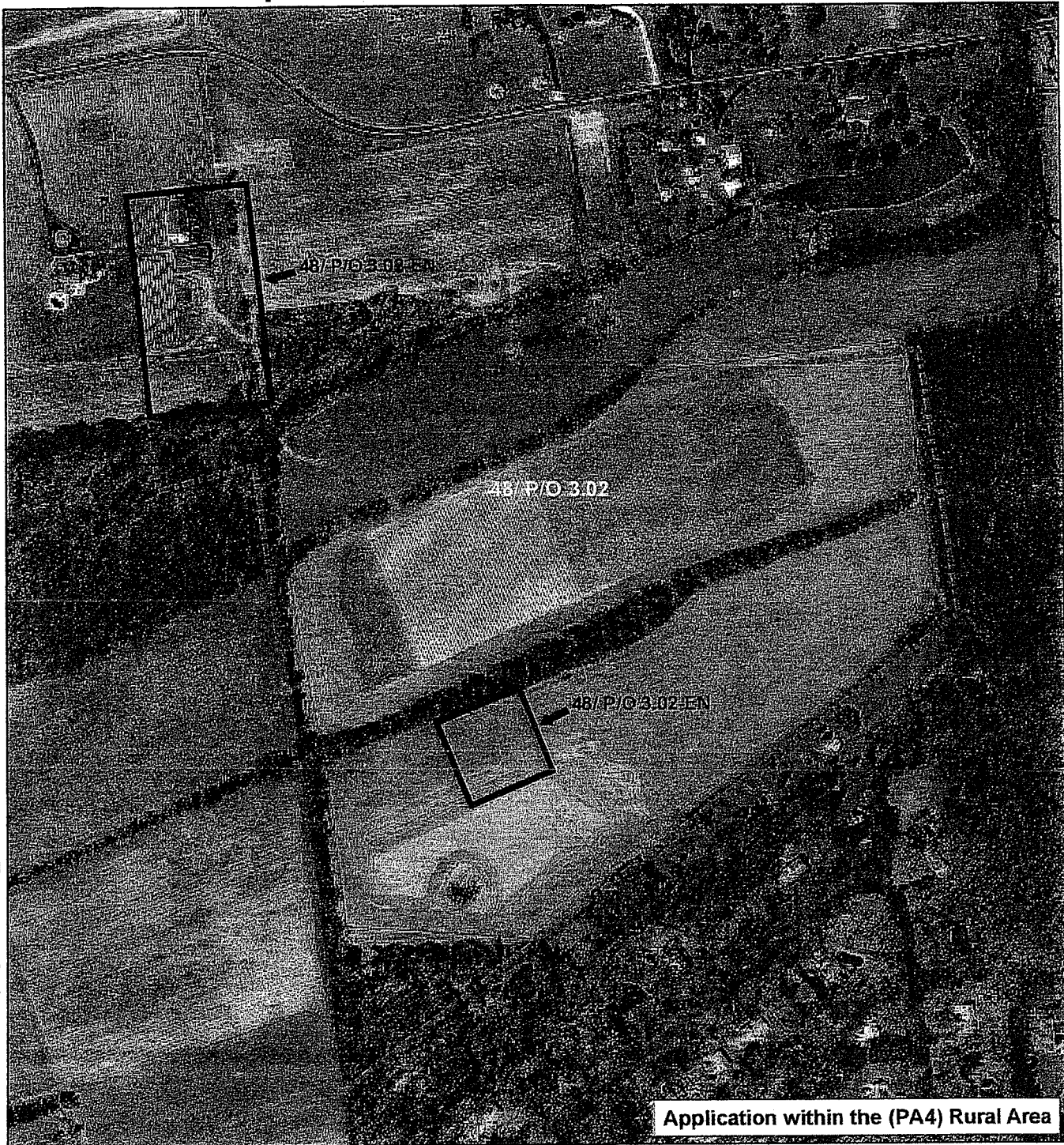
9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

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**FARMLAND PRESERVATION PROGRAM**  
**NJ State Agriculture Development Committee**

Hopewell Valley Enterprises  
 Block 48 Lots P/O 3.02 (55.1 ac)  
 & P/O 3.02-EN (non-severable exceptions - 3.4 ac & 1.0 ac)  
 Gross Total = 59.5 ac  
 Hopewell Twp., Mercer County

500 250 0 500 1,000 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Sources:**  
 Green Acres Conservation Easement Data  
 NJOI/OGIS 2007/2008 Digital Aerial Image

September 14, 2010

State of New Jersey  
State Agriculture Development Committee  
Farmland Preservation Program  
Quality Ranking Score

**Schedule B**

FY 2011 Easement Purchase - Nonprofit Funding Round  
September 15, 2010

**GENERAL INFORMATION**

COUNTY OF Mercer Hopewell Twp. 1106  
APPLICANT NJCF/Hopewell Valley Enterprises

**Blocks and Lots**

Hopewell Twp. 1106 Block 48 Lot 3.02 60 ACRES

**Exceptions**

<u>Acres</u>	<u>Reason</u>	<u>Justification</u>	<u>Restrictions</u>	<u>Negative Impact</u>	<u>SADC Impact</u>	<u>Total Score</u>
1	future residence				0	0

Location: Mer - Hopewell Twp. Block:48 Lot:3.02 - upper left side of lot  
The Exception will be restricted to one single family residential unit.  
The Exception is Nonseverable.

**Exceptions**

<u>Acres</u>	<u>Reason</u>	<u>Justification</u>	<u>Restrictions</u>	<u>Negative Impact</u>	<u>SADC Impact</u>	<u>Total Score</u>
3.5	non-agricultural uses				0	0

Location: Mer - Hopewell Twp. Block:48 Lot:3.02 - central left of lot

The Exception is Nonseverable.

**NET ACRES** 56

**USGS Grid Map Description:**

**HOUSING, BUILDINGS AND OTHER STRUCTURES**

<u>Structure</u>	<u>Ag Use</u>	<u>Leased</u>	<u>Notes</u>
Barn	Y	N	

**RDSO's**

ELIGIBLE 0  
SADC APPROVED

**TYPE OF AGRICULTURAL OPERATION**

Grape  
Hay

**SUBDIVISION OF THE PREMISES**

<u>Status</u>	<u>Preliminary</u>	<u>Final Approval</u>	<u>Scale</u>	<u>Notes</u>
No Value Selected				

**PRE-EXISTING NON-AG USES ON PREMISE**

<u>Type</u>	<u>Extent</u>	<u>Size</u>	<u>Ag Use</u>
No Pre-Existing Uses Considered.			None
<u>Lessee</u>	<u>Business</u>	<u>Purpose</u>	<u>Frequency</u>

**EASEMENTS AND RIGHT OF WAYS**

<u>Type</u>	<u>Description</u>	<u>Dsc Notes</u>
No Easements on Premise		
<u>Affect</u>	<u>Viability</u>	

Additional Concerns:

State of New Jersey  
State Agriculture Development Committee  
Farmland Preservation Program  
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Mercer Hopewell Twp. 1106  
APPLICANT NJCF/Hopewell Valley Enterprises

PRIORITIZATION SCORE

SOILS:	Local	15.38% *	.05	=	.77	
	Other	.1% *	0	=	.00	
	Prime	49.27% *	.15	=	7.39	
	Statewide	35.25% *	.1	=	3.53	
						SOIL SCORE: 11.68
TILLABLE SOILS:	Cropland Harvested	76% *	.15	=	11.40	
	Woodlands	24% *	0	=	.00	
						TILLABLE SOILS SCORE: 11.40
BOUNDARIES	Residential Development	28% *	0	=	.00	
AND BUFFERS:	Farmland (Unrestricted)	51% *	.06	=	3.06	
	EP Applications	13% *	.13	=	1.69	
	Woodlands	8% *	.06	=	.48	
						BOUNDARIES AND BUFFERS SCORE: 5.23
CONTIGUOUS	subject	Restricted Farm or Current Application			2	
PROPERTIES		No Points			0	
/ DENSITY:	Senti LLC	Restricted Farm or Current Application			2	
						DENSITY SCORE: 4.00
LOCAL COMMITMENT:		100% *	20	=	20.00	
						LOCAL COMMITMENT SCORE: 20.00
SIZE:						SIZE SCORE: 3.41
IMMIMENCE OF CHANGE:	SADC Impact factor =	3.94				
						IMMINENCE OF CHANGE SCORE: 3.94
COUNTY RANKING:						
EXCEPTIONS:						EXCEPTION SCORE: .00
						TOTAL SCORE: 59.66

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R9(19)

Request to Replace a Single Family Residence

Robert and Donna Riggins

September 23, 2010

**Subject Property:** Block 71, Lots 18 & 43  
Hopewell Township, Cumberland County  
Block 4, Lots 22, 22.01 & 4  
Block 7, Lots 2, 2.01 & 2.02  
Greenwich Township, Cumberland County  
165.57-Acres

WHEREAS, Robert & Donna Riggins, hereinafter "Owners", are the record owners of Block 71, Lots 18 & 43, in Hopewell Township, and Block 4, Lots 22, 22.01 & 4 and Block 7, Lots 2, 2.01 & 2.02 in Greenwich Township, Cumberland County, by Deed dated October 20, 1997, and recorded in the Cumberland County Clerk's Office in Book 2263, Page 318, totaling approximately 165.57 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Cumberland by the former owners, Warren and Jane Riggins, Jr., by Deed dated August 21, 1997, and recorded in the Cumberland County Clerk's Office in Book 2253, Page 248, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, on July 28, 2010, the SADC received a request to replace the existing single-family residence on the Premises from the Cumberland CADB on behalf of the Owners; and

WHEREAS, the Deed of Easement identifies one single-family residence on the Premises, no exception areas, no agricultural labor units and no RDSOs; and

WHEREAS, paragraph 14 ii of the Deed of Easement allows for the replacement of any existing single-family residential building anywhere on the Premises with the approval of the Grantee and the Committee; and

WHEREAS, on September 1, 2010, SADC staff visited the site; and

WHEREAS, the Premises has been maintained primarily as a field grown nursery stock and containerized nursery stock operation with hay and grain rotations; and

WHEREAS, the Owners propose to replace the existing residence on the Premises with a new residence for their son, Robert Riggins, and his family; and

WHEREAS, Robert Riggins is currently a full-time partner in the farm operation on the Premises known as Riggins Nursery; and

WHEREAS, the proposed new house will be built approximately 25 feet behind the existing residence in same yard area of the existing house, as shown on Schedule "A"; and

WHEREAS, the new house will utilize the existing driveway; and

WHEREAS, Robert Riggins proposes to build a two-story house with approximately 3,400 square feet of heated living space (similar to the depiction in Schedule "B") to replace the original farmhouse which was approximately 2,400 square feet of living space; and

WHEREAS, the design of the new house includes a basement of approximately 2,000 sq./ft. of unfinished space; and

WHEREAS, the existing house is vacant and Robert Riggins has received the necessary demolition permits from the township for the existing residence; and

WHEREAS, SADC staff have verified that the existing house was not included on the NJ Register of Historic Places;

WHEREAS, the existing home is located approximately 40 feet from Roadstown Road; and

WHEREAS, according to the Owners the existing house is in a state of disrepair with structural problems related to the fractured foundation, termite and water damage and lack of adequate insulation resulting in frozen plumbing in the winter months; and

WHEREAS, on July 14, 2010, the Cumberland CADB approved the replacement of the existing single family residence with a new residence in the location as shown in Schedule "A";

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of an existing

single family residence on the Premises to serve as the primary residence for the for the Owner's son, Robert Riggins, and his family is a permitted activity under the terms of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 3,400 square feet of heated living space, not including any basement that may be constructed, in the location shown in Schedule "A", to replace the single family residence currently existing on the Premises; and

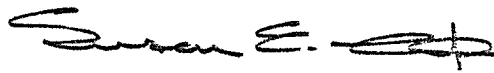
BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that the existing single-family residence being replaced shall be removed from the Premises within 60 days of receiving the certificate of occupancy for the new residence; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date



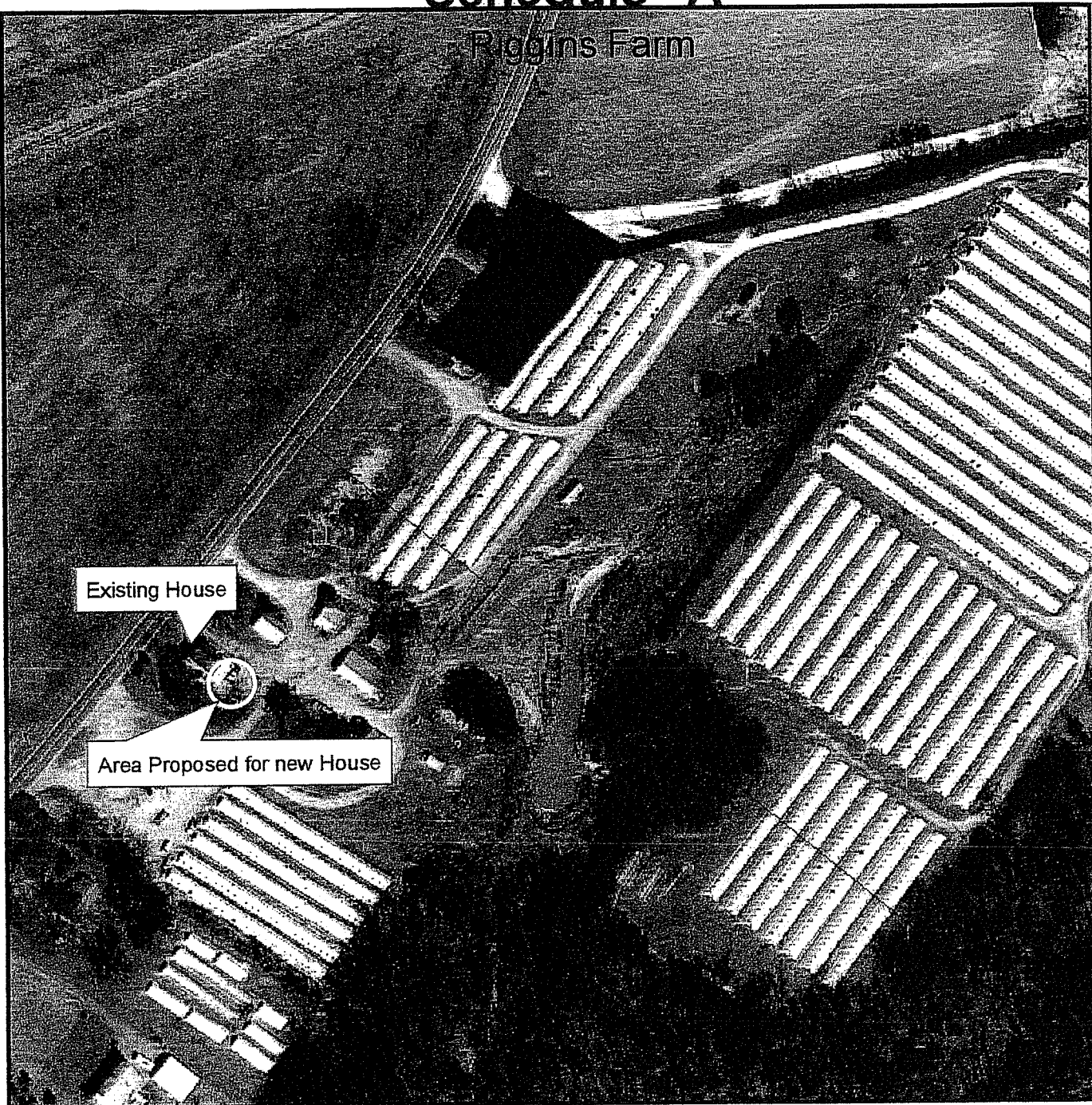
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Riggins Farm

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**FARMLAND PRESERVATION PROGRAM**  
**NJ State Agriculture Development Committee**  
 W & J Riggins Farm  
 Block 71, Lots 18 & 43  
 Hopewell Twp.  
 Block 4, Lots 2, 2.01 & 2.02  
 Block 8, Lots 9, 9.02 & 9.03  
 Greenwich Twp., Cumberland County



0 60 120 240 360 480 Feet

## Farmland Preservation Program

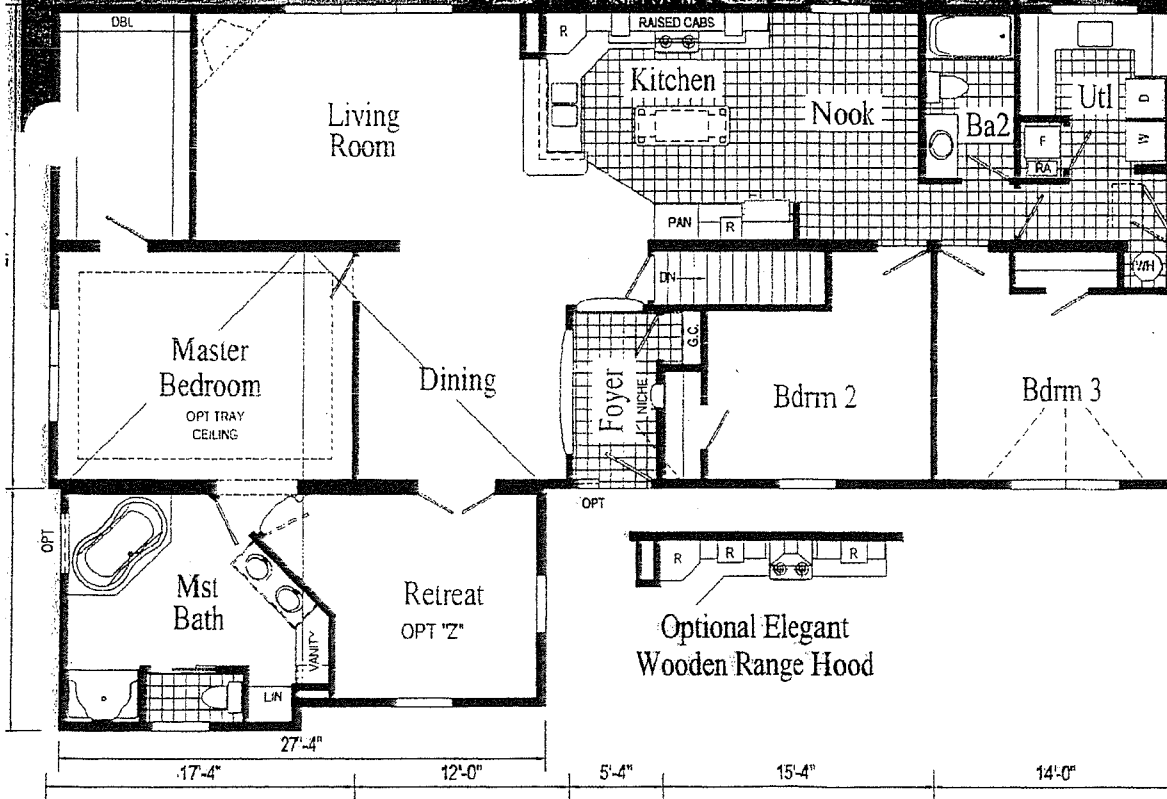
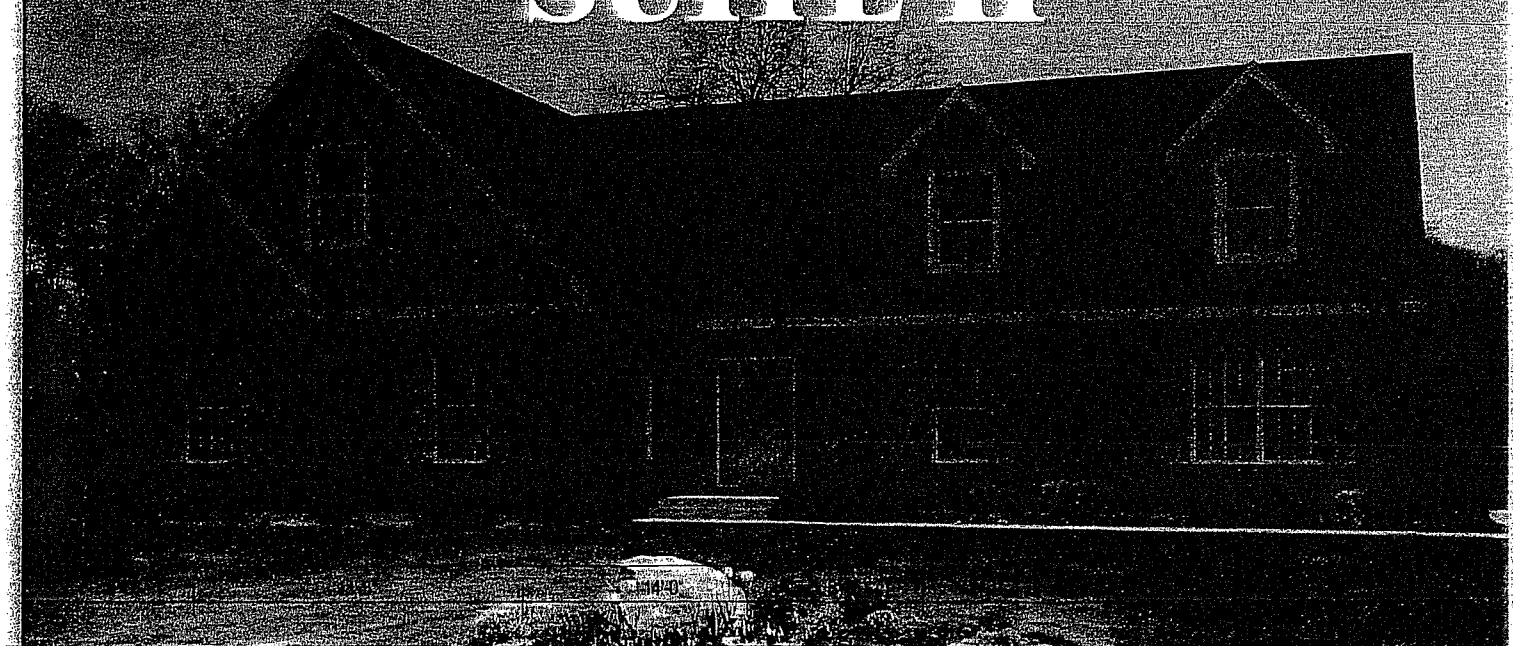
	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

<b>State Planning Areas</b>	
	(PA1) METRO
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4B) RURAL ENV SENS
	(PA5) ENV SENS.
	(PA5B) ENV. SENSITIVE BARRIER IS
	(P10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
<b>Base Map</b>	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
Green Acres Preserved Easements	

month/day/year

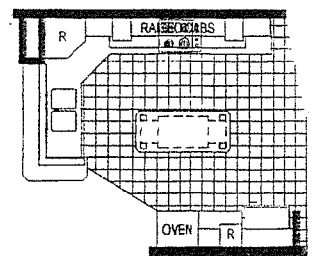


# MAJESTIC MASTER SUITE II

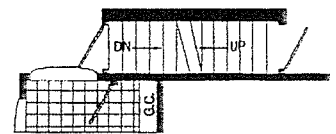


Some exterior features may be optional

Garage  
BY OTHERS



Optional Wall Oven  
& Surface Unit



Optional Attic Stairs

## The Majestic Master Suite II HR172AZ

Approx 2106 Sq Ft

This design is for the couple that wants it all when it comes to their 'master suite'. The additional room adjoining the master bedroom is only limited to your imagination. Enjoy watching television, exercising, reading, sewing, rocking the baby to sleep, or surfing the web are only a few of the ways to utilize this room.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R9(20)

Request to Replace a Single Family Residence

Bernard and Ann Britt Farm

September 23, 2010

**Subject Property:** Block 601.01, Lot 23  
Mansfield Township, Warren County  
78.11 - Acres

WHEREAS, Bernard and Ann Britt, hereinafter "Owners", are the record owners of Block 601.01, Lot 23, in Mansfield Township, Warren County, by Deed dated April 28, 2010, and recorded in the Warren County Clerk's Office in Book 2315, Page 344, totaling approximately 78.11 acres, hereinafter referred to as "Premises" (as shown in Schedule "A"); and

WHEREAS, the Premises was acquired by the SADC, through the fee simple purchase program, on March 23, 2007, from the former owner, the RJDD L.L.C., pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. Seq., PL 1983, as a Deed recorded in Deed Book 2141, Page 192; and

WHEREAS, the SADC conducted an auction of the restricted Premises on February 11, 2010, and conveyed the Premises to the Owners on April 28, 2010, with agricultural restrictions pursuant to N.J.S.A. 4:1C-31.1; and

WHEREAS, on August 24, 2010, the SADC received a request to replace the existing single-family residence on the Premises from the Owners; and

WHEREAS, the deed of conveyance identifies one single-family residence on the Premises, no exception areas, no agricultural labor units and no RDSOs; and

WHEREAS, paragraph 13 ii of the deed of conveyance allows for the replacement of any existing single-family residential building anywhere on the Premises with the approval of the Committee; and

WHEREAS, paragraph 12 of the deed of conveyance limits any replacement house on the Premises to a maximum of 3,500 sq./ft. of heated living space; and

WHEREAS, on September 7, 2010, SADC staff visited the site; and

WHEREAS, the Premises has been maintained primarily as a hay farm; and

WHEREAS, the Owners propose to replace the existing residence on the Premises with a new residence which, upon completion, would serve as their primary residence; and

WHEREAS, because the Premises is in the Highlands Preservation Area the Owners have proposed two potential new house sites, as shown on Schedule "A", in the event that the Highlands Council does not approve of the preferred house location; and

WHEREAS, the first proposed new house location would be approximately 65 ft south of the original home site and would require a realignment of a portion of the existing downward sloped driveway to manage water coming off the driveway and direct it away from the house site, which was a problem with the original house; and

WHEREAS, the additional disturbance required to relocate the driveway may exceed the allowable disturbance limits imposed by the Highlands Water Protection and Planning Act; and

WHEREAS, the second location is approximately 400 ft south of the original home site, closer to the driveway entrance on Hilltop road and uphill of the original home site; and

WHEREAS, either location would utilize the existing driveway for access to the new house site and would not have a negative impact on the agricultural operation; and

WHEREAS, the Owners propose to build a single-story house with approximately 2,200 square feet of heated living space (similar to the depiction in Schedule "B") to replace the original farmhouse which was approximately 1,600 square feet of living space; and

WHEREAS, the design of the new home includes a basement of approximately 1,980 sq/ft. of unheated, unfinished space for utilities and storage; and

WHEREAS, the original farmhouse has already been removed and the area graded and seeded; and

WHEREAS, according to the Owners, and verified by the SADC's own home inspection report, the previously existing house had been vacant for several years and was in a state of significant disrepair; and

WHEREAS, SADC staff have verified that the existing house was not included on the NJ Register of Historic Places;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of an existing single-family residence on the Premises to serve as the primary residence for the for the Owners, Bernard and Ann Britt, is a permitted activity under the terms of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 2,200 square feet of heated living space, not including any basement that may be constructed, or a total of 3,500 square feet of heated living space, including any such basement area; and

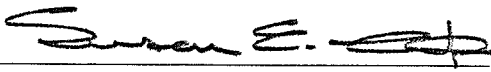
BE IT FURTHER RESOLVED, that the Committee approves either one of the two locations shown in Schedule "A", to replace the single-family residence that previously existed on the Premises; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Schedule "A"

Britt Farm

Existing House

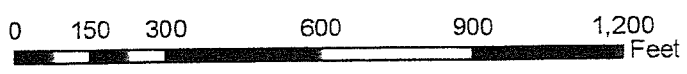
Proposed New House Location - I

Proposed New House Location - II

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bernard Britt Farm  
Block 601.01, Lot 23  
Mansfield Township, Warren County

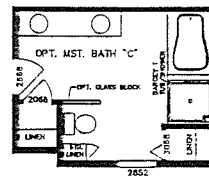
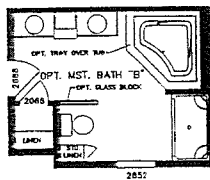
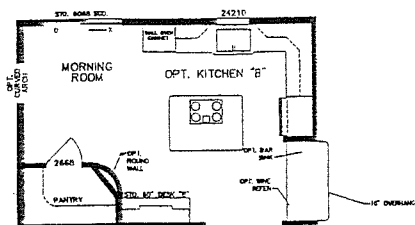
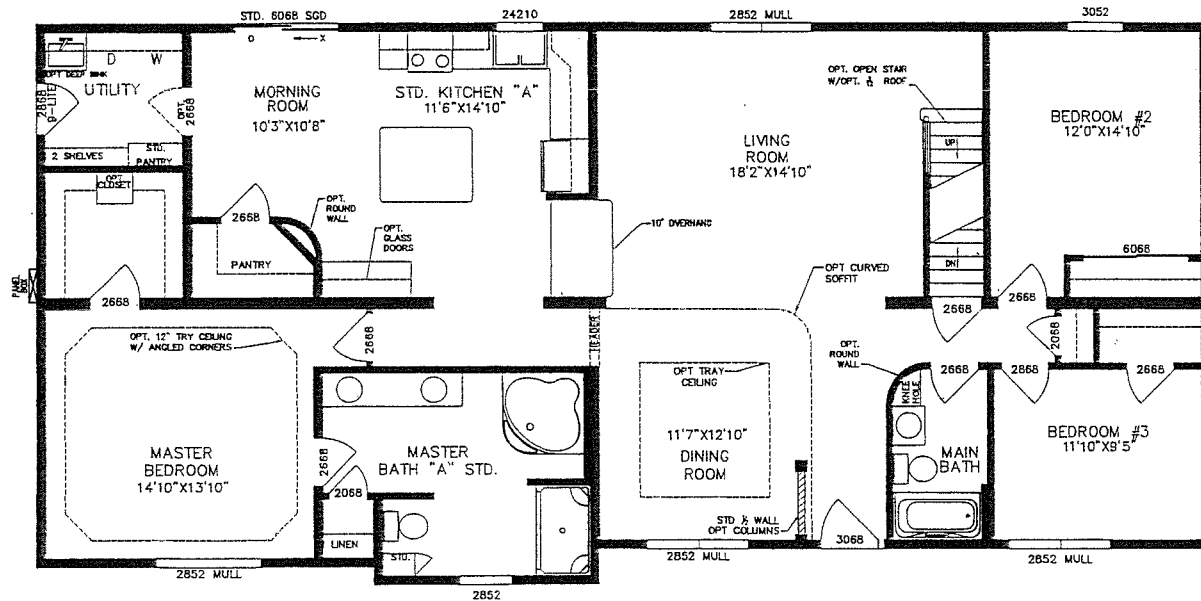
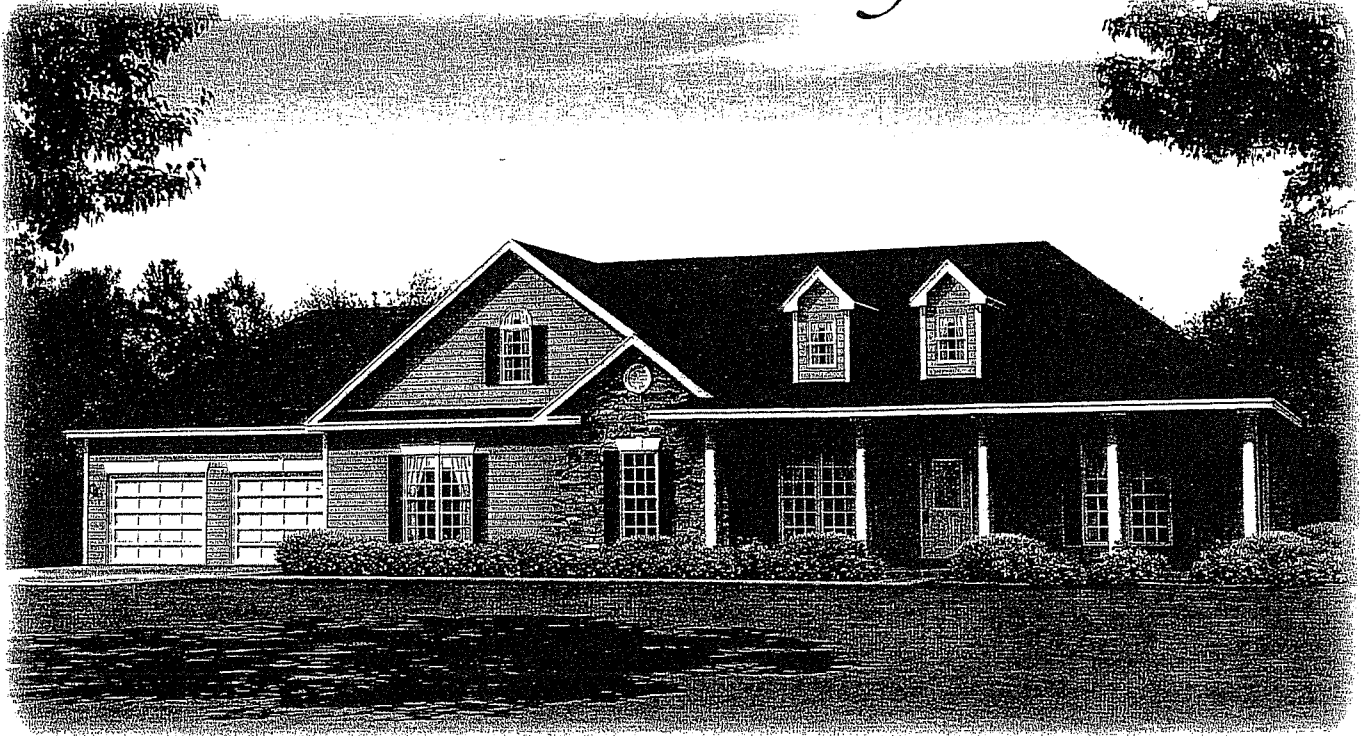


Farmland Preservation Program	
	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

State Planning Areas	
	(PA1) METRO
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4B) RURAL ENV SENS
	(PA5) ENV SENS
	(PA6) ENV SENSITIVE BARRIER IS
	(P10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
Base Map	
	County Boundaries
	Municipal Boundaries
	Highland Planning Area
	Highland Preservation Area
	Potential Area
	Green Acres Preserved Easements

month/day/year

# Waterbury



**WATERBURY**  
**PLAN NO. RW3207**  
**31'4" X 66'0" - plus**  
**1980 sq. ft.**

*Garage = 91'  
 ~ Approximate*

The Artist's rendering shown contains optional and suggested features.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R9(21)

Request to Replace a Single Family Residence

Celtic Charms Farm

September 23, 2010

**Subject Property:** Block 135, Lots 9.03, 9.04, 9.05 & 9.06  
Howell Township, Monmouth County  
26.95 - Acres

WHEREAS, Sunset Stables, LLC, hereinafter "Owner", is the record owner of Block 135, Lots 9.03, 9.04, 9.05 & 9.06, in Howell Township, Monmouth County, by Deed dated September 20, 2001, and recorded in the Monmouth County Clerk's Office in Book 08055, Page 08153, totaling approximately 26.95 acres, hereinafter referred to as "Premises" (as shown in Schedule "A"); and

WHEREAS, William and Christine Landuyt, hereinafter "Contract Purchasers", are under contract to purchase the Premises pending final building inspection approvals from the township related to the agricultural buildings on site; and

WHEREAS, the development easement on the Premises was conveyed to the County of Monmouth from the Owner, by Deed dated April 16, 2007, and recorded in the Monmouth County Clerk's Office in Book 8644, Page 8838, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, on August 26, 2010, the SADC received a request to replace the existing single-family residence on the Premises from the Monmouth CADB on behalf of the Contract Purchasers; and

WHEREAS, the Deed of Easement identifies one single-family residence on the Premises, no exception areas, no agricultural labor units and no RDSOs; and

WHEREAS, paragraph 14 ii of the Deed of Easement allows for the replacement of any existing single-family residential building anywhere on the Premises with the approval of the Grantee (Monmouth CADB) and the Committee; and

WHEREAS, on September 14, 2010, SADC staff visited the site; and

WHEREAS, the Premises has been maintained primarily as a therapeutic equine riding farm with hay and pasture production; and

WHEREAS, the Contract Purchasers have recently added poultry production to the farm's output; and

WHEREAS, the Contract Purchasers propose to replace the existing residence on the Premises with a new residence which, upon completion, would serve as their primary residence; and

WHEREAS, the proposed new house will be built approximately 75 feet behind the existing residence in same yard area of the existing house, as shown on Schedule "A"; and

WHEREAS, according to the Contract Purchasers and their engineer the existing house is in state of severe disrepair with structural problems related mold, water damage, general deterioration and inhabitation by a large number of cats for a period of time; and

WHEREAS, the existing house is approximately 25 feet from Fort Plains Road and does not conform to existing setbacks; and

WHEREAS, the Contract Purchasers propose to build a single-story house with approximately 3,100 square feet of heated living space (similar to the depiction in Schedule "B") to replace the original farmhouse which was approximately 1,800 square feet of living space; and

WHEREAS, septic testing has been completed and approved for the area next to the proposed new house; and

WHEREAS, the proposed new house will be built with a crawl space, not a basement; and

WHEREAS, SADC staff have verified that the existing house was not included on the NJ Register of Historic Places;

WHEREAS, on September 1, 2010, the Monmouth CADB approved the Contract Purchaser's request to replace the existing single family residence on the Premises;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of an existing



single-family residence on the Premises to serve as the primary residence for the for the Contract Purchasers, William and Christine Landuyt, is a permitted activity under the terms of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 3,100 square feet of heated living space, in the location shown in Schedule "A", to replace the single-family residence currently existing on the Premises; and


BE IT FURTHER RESOLVED, that the existing house shall be removed within 60 days of receiving the certificate of occupancy on the new house; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	YES
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	YES

# Schedule "A"

Celtic Farms

Existing House

Proposed New House Location

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Celtic Farms  
Block 135 Lots 9.03, 9.04, 9.05, 9.06  
Howell Township  
Monmouth County



0 105 210 420 630 840 Feet

### Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- INACTIVE APPLICATION
- NO CORRESPONDING DATA

- State Planning Areas**
- (PA1) METRO
  - (PA2) SUBURBAN
  - (PA3) FRINGE
  - (PA4) RURAL
  - (PA4B) RURAL ENV. SENS.
  - (PA5) ENV. SENS.
  - (PA5B) ENV. SENSITIVE BARRIER IS.
  - (P10) PINELANDS
  - PARK
  - MILITARY
  - NEW JERSEY MEADOWLANDS
  - WATER
  - ELLIS ISLAND- NJ
  - ELLIS ISLAND- NY
- Base Map**
- County Boundaries
  - Municipal Boundaries
  - Highlands Planning Area
  - Highlands Preservation Area
  - Pinelands Area
  - Green Acres Preserved Easements

month/day/year

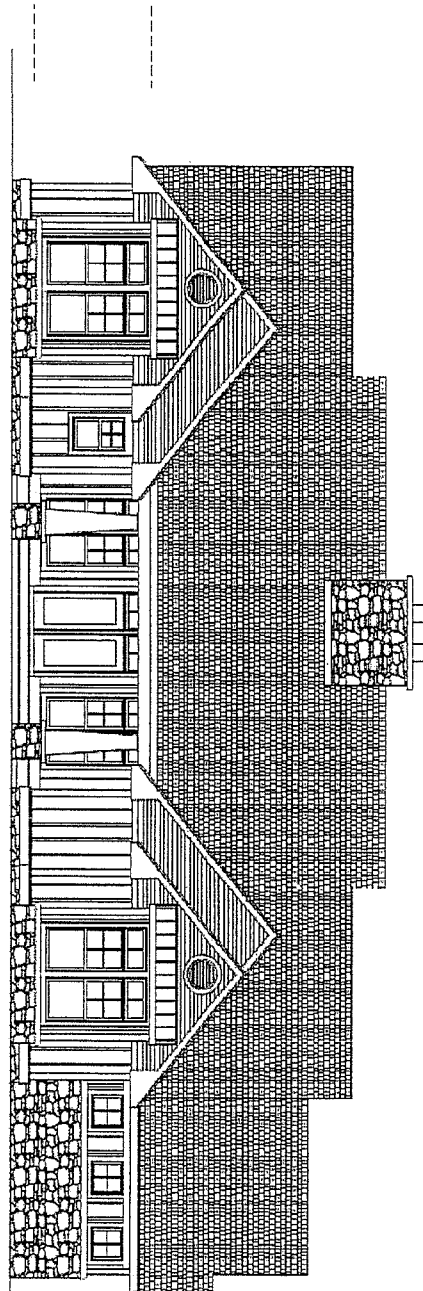
# Schedule "B"

Do Not Scale The Drawings

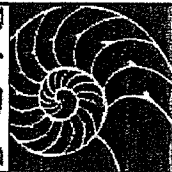
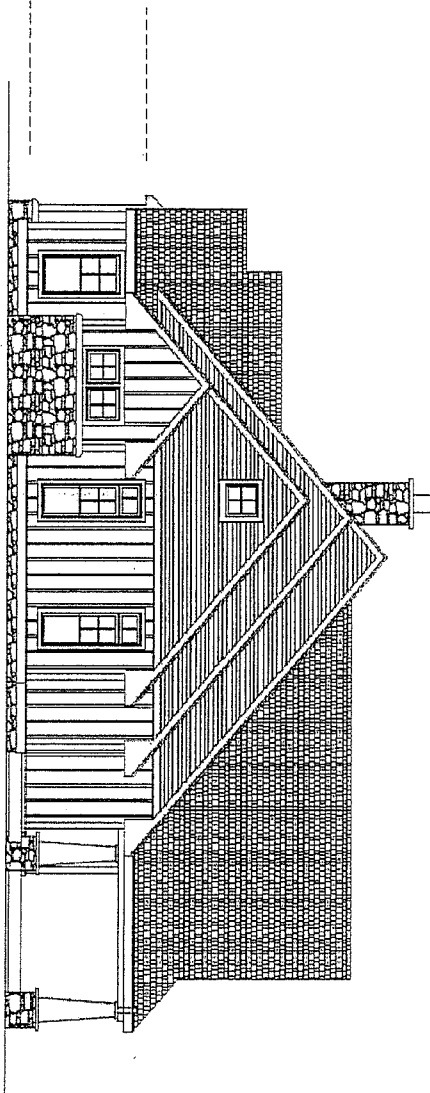
The contractor is to field verify all dimensions prior to start of any work or construction.

Scale 1/8" = 1'-0"

FRONT ELEVATION



RIGHT SIDE ELEVATION



**B.L.D.G.**  
Architecture, LLC

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New Residence at  
**Celtic Chimes**  
Therapeutic Horsemanship Farm  
675 Fort Plains Road  
Howell Township  
New Jersey

P2.0

2 of 4

Project No. 12-000

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(22)**

**Final Approval and Authorization to Execute Closing Documents  
Authorization to Contract for Professional Services  
SADC Easement Purchase**

**On the Property of  
High Ridge Holding Co. I**

**September 23, 2010**

Subject Property:     High Ridge Holding Co. II  
                              State Acquisition Application  
                              Block 27, Lot 22  
                              Upper Freehold Twp., Monmouth County  
                              SADC ID #: 13-0056-DE  
                              180 Net Acres

WHEREAS, on May 4, 2009 the State Agriculture Development Committee (SADC) received an easement acquisition application from High Ridge Holding Co. (hereinafter "Applicant"), identified as Block 27, Lot 22, Upper Freehold Twp., Monmouth County hereinafter "Property", totaling approximately 180 net acres identified in Schedule A; and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development rights directly from landowners; and

WHEREAS, staff evaluates applications for the sale of development easements directly to the SADC pursuant to Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and N.J.A.C. 2:76-11.5, and State Acquisition Selection Criteria approved by the SADC on July 24, 2008 which prioritizes applications into "Priority", "Alternate" and "Other" farms; and

WHEREAS, the Property has a quality score of 80.14 which exceeds the Priority Quality score for Monmouth County of 64, and the Property's 180 acres exceeds the Priority acreage for Monmouth County of 35 acres, and therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property is devoted to nursery products, has approximately 65 percent prime soils and 22 percent statewide soils and is 86 percent cropland harvested as identified on Schedule B; and

WHEREAS, the original application was submitted to Monmouth County Agricultural Development Board and at that time the County proposed a fee simple purchase of a conservation easement area along Doctor's Creek; and

WHEREAS, due to limited funding at the County the application was forwarded to the SADC for consideration as an SADC Direct Easement purchase application on May 4, 2009; and

WHEREAS, the original application to the SADC included a six-acre non-severable exception area excluding an existing three unit residence and six trailers used as an agricultural labor residence; and

WHEREAS, at that time the Landowner indicated that they did not wish to sell the area along Doctor's Creek to the County in fee and did not wish to have public access due to potential impacts on the current agricultural operations; and

WHEREAS, on February 10, 2010 the SADC certified the development easement value of the Property at \$22,500.00 per acre based on zoning and environmental conditions as of 1/1/04 and \$14,500.00 per acre based on current zoning and environmental conditions as of June 1, 2009, and made an offer based on this certified value; and

WHEREAS, the applicant subsequently requested an additional severable exception area approximately 16-acres in size restricted to two single family residences; and

WHEREAS, Monmouth County has requested to purchase a conservation easement area along the Doctor's Creek stream corridor in order to provide for a future connection to existing County stream corridor easements in the area; and

WHEREAS, the Landowner has agreed to sell a conservation easement to the County on an area from the top of slope to the property line along Doctor's Creek, approximately 12-acres +/- which will be identified as a severable exception area at closing (Schedule C); and

WHEREAS, the Landowner has agreed that the conservation easement shall not offer public access rights at this time, but will not preclude this Landowner or a future Landowner to negotiate public access at a future date; and

WHEREAS, SADC staff will assist in developing, mutually agreeable conservation easement language including the retention of sufficient and appropriate irrigation access for the farm through this area between the Landowner and Monmouth County Parks; and

WHEREAS, on September 23, 2010 the SADC certified amended development easement values based on the addition of a 16-acre +/- severable exception for two additional single family residences at \$21,000 per acre based on zoning and environmental conditions as of 1/1/04 and \$15,000 per acre based on current zoning and environmental conditions as of June 1, 2009; and

WHEREAS on September 23, 2010 Applicant agreed to accept the SADC certified development easement value of \$21,000 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be including but not limited to contracts, survey, title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the High Ridge Holding Co. II farm application for the direct acquisition of the development easement at a value of \$21,000 per acre for approximately \$3,780,000 based on 180 acres subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, the SADC approves an approximate 16 acre severable exception as identified on Schedule A that shall be limited to two single family residences; and

BE IT FURTHER RESOLVED, the SADC approves a six acre non-severable exception around an existing three unit residence with the condition that if the structure should be destroyed or replaced it can only be replaced with one single family residence or a residence with up to three units as currently exists; and

BE IT FURTHER RESOLVED, the SADC approves the sale of a conservation easement to the Monmouth County Parks Department for the certified easement value of \$21,000 per acre on an area from the top of slope to the property line along Doctor's Creek, approximately 12-acres +/- which will be identified as a severable exception area at closing (Schedule C), offer no public access at this time and reserve irrigation access for the farm; and

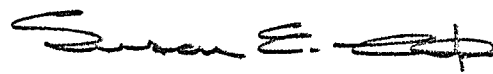
BE IT FURTHER RESOLVED, the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Douglas Fisher Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Craft, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on this property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date



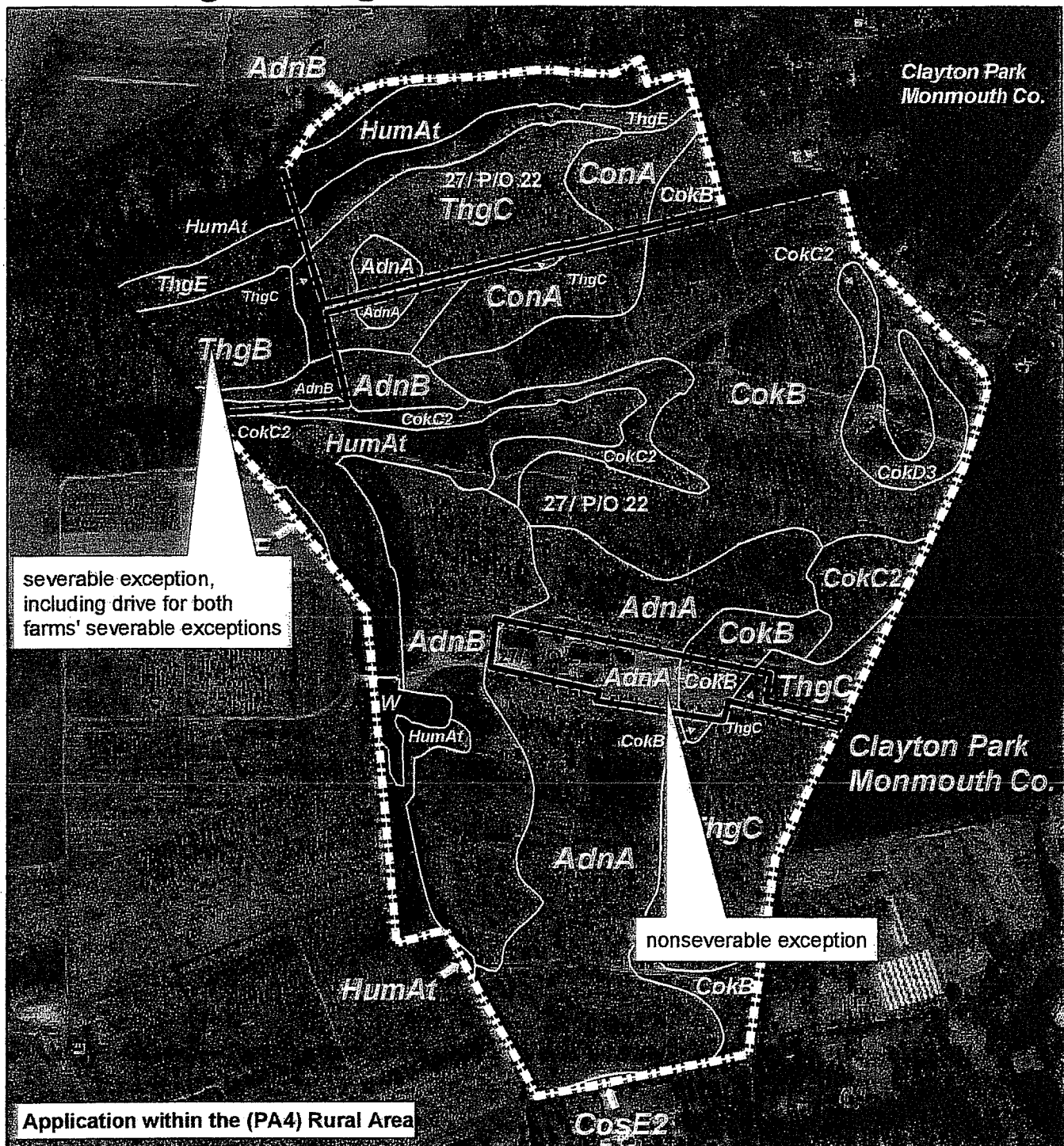
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	ABSTAINED
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	OPPOSED

# High Ridge Farm #1 - Schedule A

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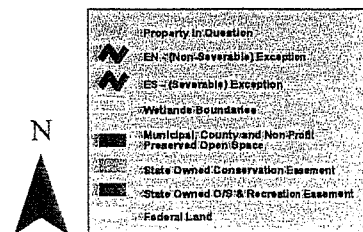


## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Martin Wojcik/High Ridge Holding Co. (# 1)  
Block 27 Lots P/O 22 (176.4 ac), P/O 22-ES (severable exception - 16.3 ac)  
and P/O 22-EN (non-severable exception - 6.0 ac)  
Gross Total = 210.4 ac  
Upper Freehold Twp., Monmouth County

500 250 0 500 1,000 1,500 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



**Sources:**  
NRCS - SSURGO Soil Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

June 16, 2010



SECRET 1 2

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

High Ridge Holding Co. #1  
2006A  
Easement Purchase - SADC  
180 Acres

Block 27	Lot 22	Upper Freehold Twp.	Monmouth County
----------	--------	---------------------	-----------------

<b>SOILS:</b>	Other	17.03% *	0	=	.00
	Prime	62.27% *	.15	=	9.34
	Statewide	20.7% *	.1	=	2.07
					<b>SOIL SCORE: 11.41</b>

<b>TILLABLE SOILS:</b>	Cropland Harvested	85% *	.15	=	12.75
	Wetlands	8% *	0	=	.00
	Woodlands	7% *	0	=	.00
					<b>TILLABLE SOILS SCORE: 12.75</b>

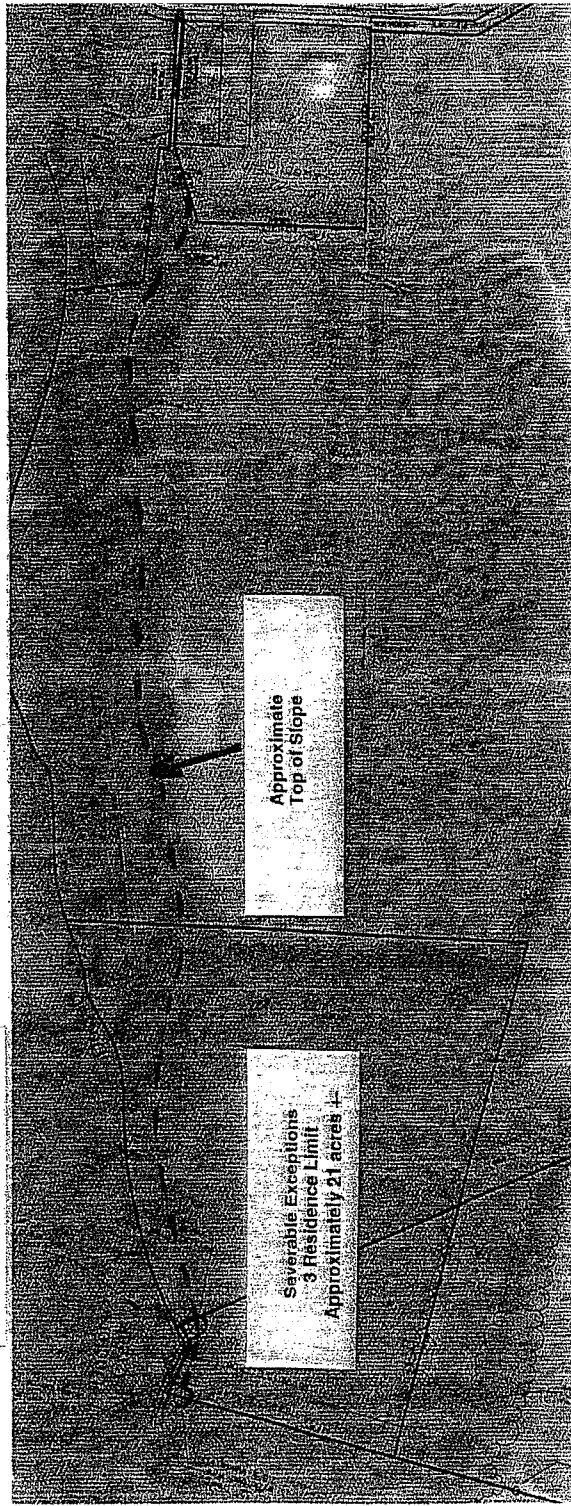
  

<b>FARM USE:</b>	Ornament Nursery Products	162 acres
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**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st six (6) acres for exclude house, bldgs and non ag use  
Exception is not to be severable from Premises  
Exception is to be restricted to one single family residential unit
    - 2nd sixteen (16) acres for 2 future residences  
Exception is severable  
Right to Farm language is to be included in Deed farming cross access easement required
    - 3rd twelve (12) acres for for stream corridor for county parks system  
Exception is severable
  - c. Additional Restrictions: No Additonal Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises:  
Manufactured without Foundation  
Manufactured without Foundation  
Manufactured without Foundation  
Manufactured without Foundation  
Manufactured without Foundation  
Manufactured without Foundation
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

Proposed  
Conservation  
Easement Area  
Approximately 1-acre (Farm #2)  
Approximately 12-acres (Farm #1)



High Ridge Farm #1

High Ridge Farm #2

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R9(23)**

**Final Approval and Authorization to Execute Closing Documents  
Authorization to Contract for Professional Services  
SADC Easement Purchase**

**On the Property of  
High Ridge Holding Co. II**

**September 23, 2010**

Subject Property: High Ridge Holding Co. II  
State Acquisition Application  
Block 27, Lot 23  
Upper Freehold Twp., Monmouth County  
SADC ID #: 13-0057-DE  
125 Net Acres

WHEREAS, on May 4, 2009 the State Agriculture Development Committee (SADC) received an easement acquisition application from High Ridge Holding Co. (hereinafter "Applicant"), identified as Block 27, Lot 23, Upper Freehold Twp., Monmouth County hereinafter "Property", totaling approximately 125 net acres identified in Schedule A; and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development rights directly from landowners; and

WHEREAS, staff evaluates applications for the sale of development easements directly to the SADC pursuant to Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and N.J.A.C. 2:76-11.5, and State Acquisition Selection Criteria approved by the SADC on July 24, 2008 which prioritizes applications into "Priority", "Alternate" and "Other" farms; and

WHEREAS, the Property has a quality score of 78.72 which exceeds the Priority Quality score for Monmouth County of 64, and the Property's 125 acres exceeds the Priority acreage for Monmouth County of 35 acres, and therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property is devoted to nursery products, has approximately 67 percent prime soils and 18 percent statewide soils and is 96 percent cropland harvested as identified on Schedule B; and

WHEREAS, the original application was submitted to Monmouth County Agricultural Development Board and at that time the County proposed a fee simple purchase of a conservation easement area along Doctor's Creek; and

WHEREAS, due to limited funding at the County the application was forwarded to the SADC for consideration as an SADC Direct Easement purchase application on May 4, 2009; and

WHEREAS, the original application to the SADC included a one-acre non-severable exception area excluding an existing three unit residence and one trailer used as an agricultural labor residence; and

WHEREAS, at that time the Landowner indicated that they did not wish to sell the area along Doctor's Creek to the County in fee and did not wish to have public access due to potential impacts on the current agricultural operations; and

WHEREAS, on February 10, 2010 the SADC certified the development easement value of the Property at \$24,500.00 per acre based on zoning and environmental conditions as of 1/1/04 and \$15,500.00 per acre based on current zoning and environmental conditions as of June 1, 2009, and made an offer based on this certified value; and

WHEREAS, the applicant subsequently requested an additional severable exception area approximately 6-acres in size restricted to one single family residence; and

WHEREAS, Monmouth County has requested to purchase a conservation easement area along the Doctor's Creek stream corridor in order to provide for a future connection to existing County stream corridor easements in the area; and

WHEREAS, the Landowner has agreed to sell a conservation easement to the County on an area from the top of slope to the property line along Doctor's Creek; approximately 1-acre +- which will be identified as a severable exception area at closing (Schedule C); and

WHEREAS, the Landowner has agreed that the conservation easement shall not offer public access rights at this time, but will not preclude this Landowner or a future Landowner to negotiate public access at a future date; and

WHEREAS, SADC staff will assist in developing, mutually agreeable conservation easement language including the retention of sufficient and appropriate irrigation access for the farm through this area between the Landowner and Monmouth County Parks; and

WHEREAS, on September 23, 2010 the SADC certified amended development easement values based on the addition of a 6-acre +- severable exception for an additional single family residence at \$22,000 per acre based on zoning and environmental conditions as of 1/1/04 and \$14,000 per acre based on current zoning and environmental conditions as of June 1, 2009; and

WHEREAS on September 23, 2010 Applicant agreed to accept the SADC certified development easement value of \$22,000 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be including but not limited to contracts, survey, title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the High Ridge Holding Co. II farm application for the direct acquisition of the development easement at a value of \$22,000 per acre for approximately \$2,750,000 based on 125 acres subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, the SADC approves an approximate six acre severable exception as identified on Schedule A that shall be limited to one single family residence and access shall be provided via the 16+- acre severable exception on adjacent Lot 23 (High Ridge Farm #1); and

BE IT FURTHER RESOLVED, the SADC approves a one acre non-severable exception around an existing three unit residence with the condition that if the structure should be destroyed or replaced it can only be replaced with one single family residence or a residence with up to three units as currently exists; and

BE IT FURTHER RESOLVED, the SADC approves the sale of a conservation easement to the Monmouth County Parks Department for the certified easement value of \$22,000 per acre on an area from the top of slope to the property line along Doctor's Creek, approximately 1-acre +- which will be identified as a severable exception area at closing (Schedule C), offer no public access at this time and reserve irrigation access for the farm; and

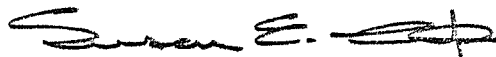
BE IT FURTHER RESOLVED, the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Douglas Fisher Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Craft, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on this property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/23/10  
Date



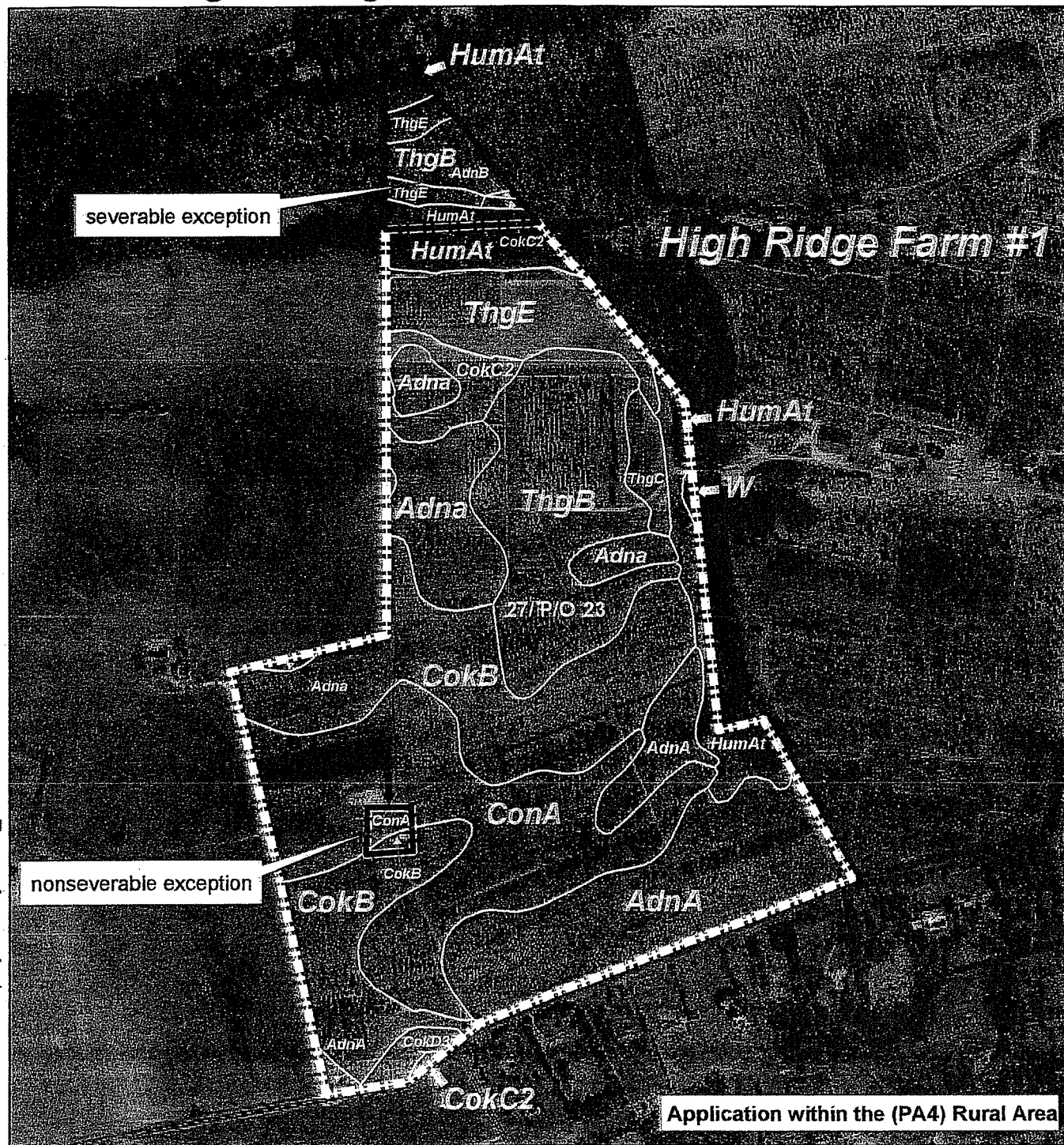
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andre P. Sidamon-Eristoff)	ABSTAINED
Donna Rendeiro (rep. DCA Commissioner Grifa)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan Danser	ABSENT
Stephen P. Dey	YES
Denis Germano	ABSENT
Torrey Reade	YES
James Waltman	OPPOSED

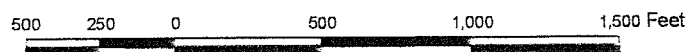
# High Ridge Farm #2 - Schedule A

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Martin Wojcik/High Ridge Holding Co. (# 2)  
Block 27 Lots P/O 23 (125.4 ac), P/O 23-ES (severable exception - 6.5 ac)  
and P/O 23-EN (non-severable exception - 0.9 ac)  
Gross Total = 132.8 ac  
Upper Freehold Twp., Monmouth County



**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

**Sources:**  
NRCS - SSURGO Soil Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

May 5, 2010

Schedule D

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

High Ridge Holding Co. #2  
2006A  
Easement Purchase - SADC  
125 Acres

Block 27	Lot 23	Upper Freehold Twp.	Monmouth County
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<b>SOILS:</b>	Other	14% *	0	=	.00
	Prime	67.95% *	.15	=	10.19
	Statewide	18.05% *	.1	=	1.81
				<b>SOIL SCORE:</b>	<b>12.00</b>

<b>TILLABLE SOILS:</b>	Cropland Harvested	98% *	.15	=	14.70
	Wetlands	2% *	0	=	.00
				<b>TILLABLE SOILS SCORE:</b>	<b>14.70</b>

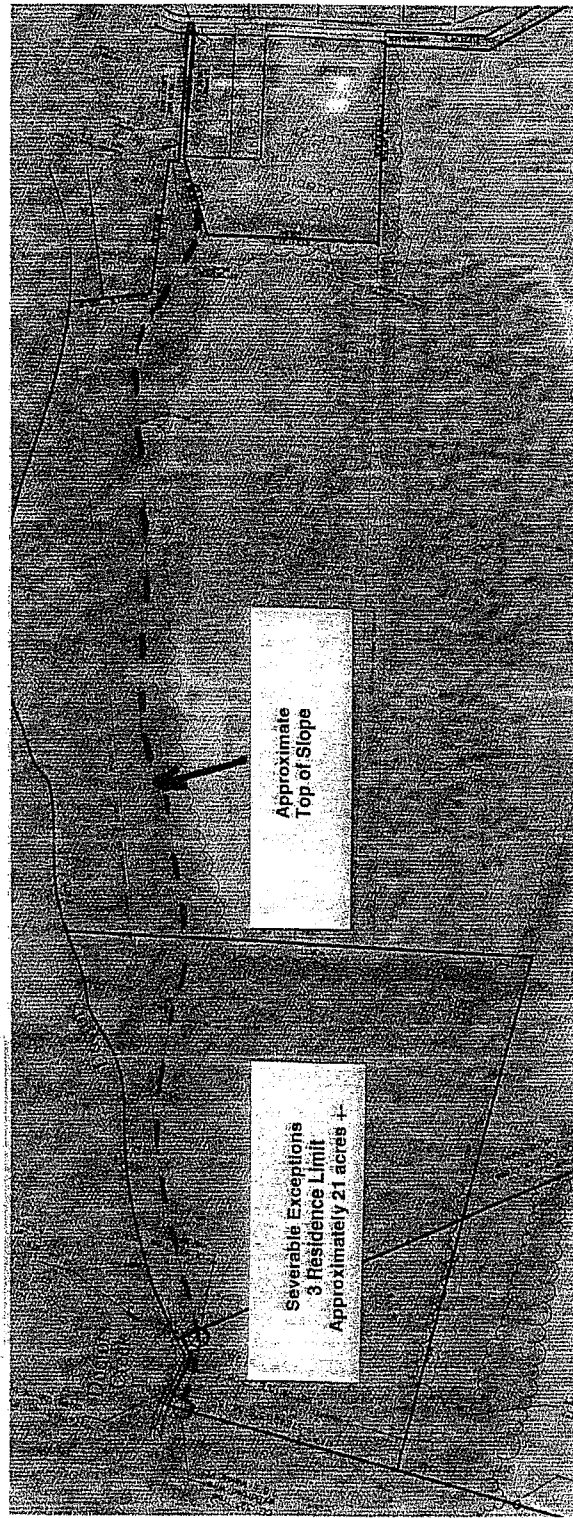
<b>FARM USE:</b>	Ornament Nursery Products	121 acres
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**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st one (1) acres for exclude existing residence  
Exception is not to be severable from Premises  
Exception is to be restricted to one single family residential unit
    - 2nd one (1) acres for stream corridor for county parks system  
Exception is severable
    - 3rd six (6) acres for 1 future house  
Exception is severable  
Right to Farm language is to be included in Deed  
Exception is to be restricted to one single family residential unit  
irrigation easement required
  - c. Additional Restrictions: No Additonal Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises:  
Manufactured without Foundation
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.



Proposed  
Conservation  
Easement Area  
Approximately 1-acre (Farm #2)  
Approximately 12-acres (Farm #1)



High Ridge Farm #1

High Ridge Farm #2

02 March 2